

EXTENSIONS OF REMARKS

SPECTRUM ASSIGNMENT
IMPROVEMENT ACT OF 1988

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. RITTER. Mr. Speaker, today I am introducing the Spectrum Assignment Improvement Act of 1988. It is intended to benefit the public by speeding up the provision of new radio spectrum services, through the use of value based assignments by way of a competitive bidding procedure. It would provide a test to determine the efficiency and practicality of using value based assignments of spectrum licenses. In addition, it will provide new moneys to the U.S. Treasury.

The authority to use competitive bidding would give the Federal Communications Commission a third method of assigning licenses for unassigned spectrum. Under the Communications Act of 1934, as amended, the Commission currently has two means of assigning licenses—comparative hearings and, in some instances, lotteries. These procedures, especially comparative hearings, can be slow and expensive. Regardless of the selection method, licensees have considerable freedom to sell their licenses. Thus, the method of assignment can be expected to have little effect on who holds the license in the long run. Value based assignments would reduce the costs of selecting a licensee while speeding up the process and getting the license to the party who most values it sooner.

Under the proposal, competitive bidding would be used only for unassigned spectrum for services other than mass media, public safety, and amateur radio service. The Commission would be authorized to use the competitive bidding process only in the assignment of licenses in the remaining unallocated six megahertz in the UHF—the 849–851, 894–896, 901–902 and 940–941 MHz—bands. Services which are compatible with these bands include land mobile radio, cellular radio-telephone, basic exchange telecommunications radiotelephone, and air-to-ground telephone.

The Commission could hold competitive bidding if it determines that there likely will be, or there actually are, mutually exclusive applications for a license or construction permit. In such a case the Commission could hold competitive bidding for the license, with the highest bidder being the tentative licensee. The Commission could not award the license, however, until it had reviewed the application of the highest bidder, and found that party to be qualified.

Under the act's terms, bidders would submit a bid consisting of an amount to be paid in four equal annual payments, to begin prior to the issuance of the license or construction

permit. The payment of the bid would be on these terms, or at the bidder's option, in a lump sum. In calculating the lump sum amount, the Commission will use the present value of the winning bid. The present value will be determined by using a discount rate equal to the rate for underpayment of incomes taxes, currently 11 percent. The use of a payment plan more effectively matches payment to the likely revenues derived from use of the license and will help assist small entrepreneurs who wish to participate in competitive bidding. The license would not be granted until the applicant makes initial payment on its bid.

Value based assignments would provide significant advantages over existing procedures. First, competitive bidding will likely speed up the delivery of services to the public. Comparative hearings usually take 18 months to 2 years to select a licensee, and may drag out further if the final decision is appealed in the courts. Lotteries, while somewhat faster, still take about a year to select a licensee, due to the large number of participants. Even after the licensee is selected by these administrative processes, the license is often sold to another party, one who values it more than the initial licensee. This resale, besides monetarily benefiting only the initial licensee, adds further delay before the party who most values the license can actually make use of it. Use of competitive bidding would avoid delay and allow the eventual licensee to begin service sooner.

Second, value based assignments would establish the market value of the license when the Commission makes the initial assignment of the license. Currently this determination is not made until a subsequent transaction when the license is sold to another party by the initial licensee. By capturing the economic value of the license in the initial assignment process, the public realizes the value of the license, rather than the initial licensee who monetarily benefits from the resale of the license.

Third, value based assignments will substantially reduce both the private and public costs involved in the initial assignment process. Comparative hearings and lotteries use substantial resources, primarily the time of lawyers, engineers, and other consultants preparing the applications and materials for comparative hearings. In addition, the Commission must devote large amounts of staff time to review the applications—many of which are frivolous—and conduct the lotteries and comparative hearings. Indeed, the Commission has estimated that it costs the Government alone about \$20,000 per comparative hearing and about \$5,000 per lottery. The use of competitive bidding would significantly reduce these costs. Only the winning bidder would be required to prepare a complete application, and the Commission staff would only need to review that application and related materials.

In addition, the use of value based assignments would raise substantial public revenues in connection with the licensee's use of a public resource. All moneys raised from the use of competitive bidding would go to the general fund of the U.S. Treasury. Currently the moneys raised through the sale of licenses go to the party which survived the administrative process and thus received the initial license. These parties are not prohibited from reselling the license, and often do, so that in the end the party that values the license most will receive it. The difference the use of value based assignments will make in determining the final ownership of the license in such cases is whether a private party or the public will receive the payment. It is estimated that the 6 MHz designated for assignment through auctions could raise approximately \$800 million.

The Spectrum Assignment Improvements Act of 1988 will authorize a test of this procedure, to determine its efficiency and practicality. As discussed earlier, the Commission would be authorized to use the competitive bidding process only in the assignment of licenses in the remaining unallocated 6 megahertz in the UHF bands. The Commission will report annually to Congress on its experiences with value based assignments and their effect on licensing. Finally, the act is scheduled to sunset in 5 years. At that point, Congress can evaluate the desirability of continuing to use competitive bidding to assign spectrum licenses.

THE SPECTRUM ASSIGNMENT IMPROVEMENTS
ACT OF 1988

SECTION-BY-SECTION ANALYSIS

Section 309(j):

The "Spectrum Assignment Improvements Act of 1988" provides the Commission authority to use competitive bidding for awarding licenses or construction permits for unassigned spectrum in non-mass media services. Such value based assignments would be permitted when there are mutually exclusive applicants for an authorization or when the Commission determines that there will likely be mutually exclusive applicants for a frequency assignment prior to the filing of applications.

This subsection would give the Commission an additional option in selecting among mutually exclusive applicants for unassigned spectrum. Under the Communications Act of 1934, as amended, the Commission currently has two means of assigning licenses—comparative hearings and, in some instances, lotteries. The Act would grant the Commission the authority to test a third option—competitive bidding.

Value based assignments would provide significant advantages over existing procedures. First, competitive bidding will likely be the fastest way to assign a license to the party which values it most. Regardless of the selection method, licensees have considerable freedom to sell their license. Thus, the method of assignment can be expected

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to have little effect on who holds the license in the long run. But value based assignments would reduce the delay involved in the initial assignment and substantially reduce any incentive for immediate resale.

Second, value based assignments could substantially reduce the total private and public cost of preparing and processing applications. Comparative hearings and lotteries use a great deal of resources, primarily the time of lawyers, engineers, and other consultants preparing the applications and materials for comparative hearings. Under value based assignments, however, much of the private expenditure of obtaining a license would be a transfer of resources to the government in the form of a winning bid. Value based assignments would also lower administrative costs, in part by weeding out frivolous applications—those who have no real intention of operating but hope to gain through reselling the license. In addition, competitive bidding would raise substantial new revenues, providing a benefit to the general public. It is estimated that use of this authority for assigning the six megahertz specified in the Act would raise approximately \$800 million.

Paragraph (1):

The Commission is authorized to use value based assignments when it either determines, prior to opening a frequency assignment for the filing of applications, that there are likely to be mutually exclusive applicants, or upon receiving mutually exclusive applications for a license or construction permit. In such cases, the Commission may require interested parties to submit statements of their intent to participate in the competitive bidding process. The requirements for such statements shall be set out in the rules implementing this Act, in accordance with paragraph (6). After conducting the competitive bidding process, if the Commission finds the winning bidder to be qualified pursuant to paragraph (3), it may issue the license or construction permit to the winning bidder after payment on its bid as detailed in paragraph (2).

Paragraph (2):

Bids submitted for a spectrum assignment must be stated in terms of four equal annual payments to begin prior to the issuance of the license or construction permit. The intent of the annual payment mechanism is to help assist small entrepreneurs who wish to participate in competitive bidding. Such a plan effectively matches payment to revenues derived from the use of the license thereby allowing more parties to participate in competitive bidding.

Applicants which prefer to pay their bid in one payment will have that option under the second part of this paragraph. If an applicant makes such a decision, the Commission will calculate the amount of the lump sum payment by using the present value of the winning bid. The present value will be determined by using a discount rate equal to the rate for underpayment of income taxes, currently eleven percent. This rate is determined quarterly by the Secretary of the Treasury in accordance with section 6621(a)(2) of title 26 of the United States Code.

The use of installment payment calculations by all bidders in making their bid is for administrative convenience in evaluating the bids when they are submitted. Regardless of which method of payment is chosen by the applicant, the license or construction permit cannot be granted until the applicant is found to be qualified pursuant to paragraph (3), and initial payment of the bid is made.

Paragraph (3):

The Act requires that no license or construction permit shall be granted to an applicant selected pursuant to paragraph (1) unless the Commission determines the qualifications of such applicant pursuant to section 308(b) and section 309(a) of the Communications Act, as amended. This procedure would be similar to that used by the Commission when assigning licenses through the use of lotteries. (47 U.S.C. §309(i).) Accordingly, the Commission would: (1) select a single applicant through the competitive bidding process and then determine if the applicant is fully qualified, and (2) only consider petitions to deny at the post-bid stage. Following the bidding, a determination regarding the qualification of the applicant under sections 308(b) and 309(a) would be made. If the applicant selected is found unqualified, another applicant would be selected pursuant to the Commission's rules to implement the Act, in accordance with paragraph (6). Among the options for selecting another applicant would be to use the next highest bidder, or to conduct a new bidding procedure. In any case, section 308(b) and 309(a) determination need be made only as to the winning bidder.

Only at the post-bid stage will hearing rights arise and petitions to deny the application be considered. The hearings will be "paper hearings" unless the Commission determines, by rule or by decision in a particular case, that due process or other public interest considerations require some or all of the hearing to be conducted by responsible Commission staff, including Bureau Chiefs or their delegates, to whom the Commission would by rule, delegate such functions. If the Commission chooses to delegate the function of presiding over these paper hearing to employees other than Administrative Law Judges (ALJ), the Commission should assure that the examiner or reviewer is truly independent in order to avoid any undue influence in the fact-finding process. The use of non-ALJ's to govern hearings shall be strictly limited to post-bid hearings.

Paragraph (4):

The Commission may use the authority in this Act only to assign licenses in the 849-851, 894-896, 901-902 and 940-941 MHz bands. These bands, totalling 6 megahertz, are part of the 42 megahertz of spectrum initially set aside as land mobile reserve in the Commission's 1974 Second Report and Order in Docket 18262. In later proceedings (Gen. Doc. Nos. 84-1231, 1233, and 1234), the Commission allocated the majority of this reserve spectrum to conventional cellular and private land mobile services. However, 2 megahertz (the 901-902 and 940-941 MHz bands) were allocated to a new General Purpose Mobile Service (GPMS) to provide for a wide range of mobile communications uses, and 4 megahertz (the 849-851 and 894-896 MHz bands) were continued in unallocated reserve. The Commission has very recently proposed to allocate this latter 4 megahertz of spectrum to air-to-ground service or, alternatively, to add them to the 2 megahertz already allocated to the GPMS. (NPRM in Gen. Doc. No. 88-96, adopted Feb. 25, 1988.) This spectrum could be made available to a wide range of mobile uses, including private land mobile radio, cellular radiotelephone, basic exchange telecommunications radiotelephone, and air-to-ground telephone.

Paragraph (5):

The Act expressly limits the authority to use value based assignments to unassigned spectrum for services other than any media

of mass communications, public safety or amateur radio services. The provision contains definitions of "media of mass communications" and "unassigned spectrum."

The first restriction is that competitive bidding may be used only in the case of unassigned spectrum. Under this limitation, existing licensees who already have received assignments would not be affected. This should not be a problem under the provisions of the Act, since the only spectrum that is authorized for value based assignment is currently held in reserve and consequently has no existing permanent assignments.

The second restriction is that competitive bids may not be used for assigning licenses for media of mass communications, public safety or amateur radio services. The public safety and amateur radio services are characterized by shared (as opposed to exclusive) channels, strict eligibility requirements, and a spirit of cooperation among users. Consequently, there usually are not competing applications for license in these services. In addition, the use of a bidding process for these services could impose undue hardship on public safety agencies and amateur radio operators. Services that are eligible for the bands authorized for value based assignment include land mobile radio, cellular radiotelephone, basic exchange telecommunications radiotelephone, and air-to-ground telephone.

Paragraph (6):

This provision requires the Commission to adopt rules implementing this Act no later than one year after enactment. The rules will be adopted and may be amended after public notice and comment. These rules should specify, among other things, the circumstances under which the Commission will use value based assignments, and the information required for filing statements of intent to bid.

This provision also limits the use of value based assignments and requires the Commission to report to Congress annually on its experiences with the use of competitive bidding procedures. The authority under this Act will expire five years after enactment. This legislation only authorizes a test of the use of value based assignments. After five years enough information should be available about the utilization and effectiveness of value based assignments to allow a thorough review by Congress. To that end, the Commission will report annually concerning its experience with the use of competitive bidding. These reports should contain a listing of all uses of competitive bids together with a description of the spectrum utilized and the purposes therefore, a summary of the Commission's processing time in utilizing the competitive bidding process compared to other licensing methods, a compilation of monies derived from the value based assignments, and an estimate of the Commission's cost of administering the competitive bidding program. The final report should also include an evaluation of the program and a conclusion as to whether or not the Commission seeks authority for the continued use of value based assignments.

Paragraph (7):

All revenues raised through the use of value based assignments will be deposited in the general fund of the U.S. Treasury as miscellaneous receipts.

Paragraph (8):

All bidders will be required to submit fees with their bids in accordance with current statutory charges. (47 U.S.C. §158.) These

fees will cover the Commission's costs of processing and reviewing bids, and will not be refundable.

Paragraph (9):

The final selection of licensees under the authority of this Act will not be subject to judicial review.

LONG-TERM CARE LEGISLATION

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. STARK. Mr. Speaker, today, the Ways and Means Health Subcommittee, began its in-depth work on one of the great issues of our time: how to provide financial protection against the staggering costs of long-term and chronic illness care.

To help explain the issues and the options, I would like to include my opening statement in the RECORD at this point:

STATEMENT OF FORTNEY (PETE) STARK, CHAIRMAN, SUBCOMMITTEE ON HEALTH COMMITTEE ON WAYS AND MEANS, AUGUST 4, 1988

Today the subcommittee begins its work on developing long-term care legislation.

It will be a difficult task, but I believe that our work will lead to enactment in the 101st Congress of a law providing protection against the costs of chronic illness and long-term care expenses.

The cost of long-term care has become a major issue to our elderly. These people, who expect to enjoy a moderate standard of living during retirement, fear that they will be reduced to near poverty if they are ever forced to pay for expensive long-term care services.

Their concern is well founded. Nursing home care now costs over \$25,000 a year; even home health services can cost \$1,000 a month. And the vast majority of the elderly do not have any insurance against these costs.

Medicare does not, as we all know, cover long-term care services. And private insurance, by health insurance standards, is almost non-existent.

Medicaid does cover long-term care but only after a life-time of assets is exhausted.

So the options are bleak: Private payment without the support of insurance or Medicaid spend down and poverty.

It is not surprising that this has become a major issue to our elderly and their families.

The problem will grow in the years ahead.

With falling mortality rates and the aging of the baby boom generation, the elderly population will increase substantially in the future. The total elderly population is projected to increase from 27 million in 1983 to—million in 2020.

More important for long-term care, it is the 85 and older population which is most likely to require long term care assistance. The age 85 and older population will increase—fold between 1983 and 2020.

Our current system of financing and organizing long term care is not working.

Unfortunately, recognizing that this problem exists does not mean the answers are self evident. Quite the contrary. Within the long-term care area, the choices are complex and difficult.

In beginning its work in this area, the Subcommittee will need to identify the es-

sential elements of a national long-term care policy.

The first issue to be addressed is the types of care that should be covered. Should a program cover only home health care as suggested by Senator Pepper's bill or should nursing home services be included as well?

The answer may be that when we hear about long-term care from our elderly constituents, the questions are about nursing home care. The bills that are displayed at town meetings are nursing home bills. I know many Members were surprised to learn that the Pepper bill did not cover nursing home care.

A second set of questions deal with striking the balance between a public program like Medicare and the role for private long-term care insurance.

A fully public program would be very expensive. A balance between public and private insurance would reduce the Federal costs of a program. Some, of course, would like to see the private sector meet all our long-term care needs.

But long-term care may not be the type of service that can be privately insured for a significant segment of the population.

Long-term care insurance doesn't fit the Medigap model. All of the elderly need physician and hospital services and so most people over 65 are anxious to buy Medigap insurance. But, since most long-term care is used by those over age 85, most of those in the age 65 to 85 group won't use their often meager incomes to purchase long-term care insurance at \$500 to \$1,000 a year.

Insurers, of course, do not usually want to sell policies to the over 85 age group nor could many of this group afford the very high premiums for coverage if they did.

Long-term care insurance more closely fits the life insurance model. It needs to be financed over a period of decades beginning with the middle years.

Yet much of the working age population feels they are already "insured out" after paying for health, car, house, life and disability insurance.

Further, employers are not a likely source of long-term insurance for the vast majority of the elderly. Only 20 percent of the elderly now have employer-based acute care Medigap insurance. And employers today seem more interested in reducing, rather than expanding, fringe benefits.

Some believe tax incentives for private long-term care insurance will solve many of the problems. However, this may only help the affluent. Only 20 percent, mostly the very affluent, bought IRAs.

And we should not underestimate the loss in revenue to the Treasury. A tax incentive program proposed as a way of reducing public costs could result in a large increase in the Federal deficit.

The Subcommittee may conclude, as Drs. Joshua Wiener and Alice Rivlin did in their Brookings study, that a long-term care program will only work if it is a publically based program like Medicare.

If a Medicare type long-term care program is considered, then several more questions must be answered:

What types and levels, if any, of beneficiary cost sharing—deductibles, waiting periods and coinsurance—should be included?

How can we balance an adequate supply of high quality nursing homes and home care agencies with reasonable payments?

How should eligibility for benefits be determined?

Who should manage patients through the many types and levels of care?

While these are tough issues, they don't begin to compare with the difficulty of the decisions the Subcommittee will face in deciding how to finance benefits.

Increasing the estate and gift tax may be the most appropriate source of revenues.

Medicaid, our current national long-term care program requires individuals to spend down their assets. And people who have been in a nursing home longer than twelve months rarely leave. Therefore, some may argue that the spending down of assets may be appropriate.

A new Federal long-term care program would, among other benefits, protect assets for children and other heirs. An estate and gift tax would pool these costs. It would be far more equitable and progressive than the current patient financed system.

A 10 percent surtax on estates would raise \$5 billion a year.

The cap on earnings subject to Medicare portion of the payroll tax could be removed as proposed by the Pepper bill.

This would be a progressive tax paid only by those with the highest incomes. While some would say this violates the "social insurance" basis of Medicare, it would raise about \$7 billion a year.

Another revenue option would be to increase the payroll tax.

This may be the only way to raise sufficient revenues to cover costs of over \$20 billion a year or more. An increase of the payroll tax of — percent on each the employee and employer would raise \$— billion. Without a wage cap, it would raise —.

Requiring all State and local government employees to pay the Medicare portion of the payroll tax could contribute about \$2 billion a year to the costs of long-term care.

Finally, beneficiaries payments may have to be included in the revenue equation. The part B premium could be further increased although, following the increase for Medicare catastrophic coverage, it will already be more than \$40 a month in 1993.

Medicaid offsets also need to be factored into any long-term care program. Medicaid now spends over \$— billion per year on long-term care; this is split roughly 55 percent to 45 percent between the Federal and State governments. A Medicare program would replace most of these costs.

These off-sets could be used to cover cost-sharing for the indigent, as provided by the Medicare catastrophic coverage bill, or for other purposes.

A final issue is what features of a long-term care program might be enacted first if it is not possible to do everything at once?

Since a comprehensive long-term care program might cost up to \$50 billion a year, benefits may have to be phased-in. We have, of course, begun this process by adding over a billion dollars a year in new long-term care benefits in the Medicare catastrophic program.

All in all, the Subcommittee faces many difficult and complex choices in the months to come. This will require a long and difficult process. We are prepared to take the time.

In the end, as with the Medicare Catastrophic bill, I believe the Subcommittee can fashion a program that is fair and efficient and will meet the needs of our nation's elderly and disabled.

TRIBUTE TO OLIVER WEAVER AND ROSS JAMES

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. TRAFICANT. Mr. Speaker, I rise today to pay special tribute to two dedicated employees of the Youngstown City Public Works Department, Oliver Weaver and Ross James. Together, these outstanding gentlemen have served the Youngstown community for 60 years, and shall retire from service on August 13, 1988.

Mr. Weaver began his term of employment on October 12, 1953, as a civil service maintenance man, becoming the first black civil service employee in the street department. He rose through the ranks and eventually assumed the position of heavy equipment operator, which he has held for 24 years until his retirement this month. In addition, Oliver has been a member of the local AFL-CIO union, serving as its president for 15 years, as well as participating in a variety of other organizations.

Mr. James dedicated 25 years to the Youngstown Public Works Department, starting on May 9, 1963, as a maintenance laborer with the street department and Youngstown Airport. He set a precedent as well by being the first black civil service employee at the Youngstown Airport. Since 1972, Ross has served as a truck driver for the street department, and has extended himself as a distinguished member of the local AFL-CIO union, serving on the executive board and as a trustee.

I consider it an honor, on behalf of the people of the 17th Congressional District, to salute these fine individuals and their outstanding terms of service. I wish them much happiness in their years of retirement.

URGING THE WAYS AND MEANS COMMITTEE TO ENACT THE PEPPER HOME-HEALTH LEGIS- LATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

OF

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. GILMAN. Mr. Speaker, recently I had the opportunity to testify before the Subcommittee on Health of the Committee on Ways and Means in support of the initiative offered by our good friend and venerable colleague, the gentleman from Florida [Mr. PEPPER]. Mr. Speaker, the need to enact this legislation has never been more acute. Millions of Americans throughout our Nation are struck down each year with catastrophic, debilitating illness. Three million of our Nation's citizens suffer with Alzheimer's disease; 5 million Americans have cancer; 10 million children suffer chronic health problems.

Mr. Speaker, the majority of these citizens do not require intensive hospital treatments. Fortunately, H.R. 2470, the catastrophic costs legislation enacted earlier this year, will assist in protecting many of our Nation's senior citizens from these devastating expenses.

For most Americans struck down with catastrophic illness, the greater portion of the need comes in the performance of routine day-to-day activities, where the costs of providing long-term custodial care will become truly staggering.

Mr. Speaker, the Nation is crying out to the Congress on this issue. Survey results indicate that the majority of Americans believe it is time to consider a proposal for Federal long-term care insurance programs. The majority of Americans are willing to pay progressive taxes in order to finance such a program, and they agree that the patient's home is by far the best place for such care to be provided.

This is why we need to enact the Pepper long-term home health care legislation. Unfortunately, despite my own pleas and those of Senator PEPPER, the House voted to delay consideration of this vital topic. While I am pleased that the Ways and Means Committee has turned to consideration of the issue in such an expeditious fashion, I urge my colleagues to consider the many merits of the original Pepper legislation, and I am hopeful that the committee will use the bill as a minimum point of departure in the consideration of this important debate.

Mr. Speaker, I request that the full text of my statement before the Ways and Means Subcommittee on Health be inserted at this point in the RECORD:

STATEMENT OF REPRESENTATIVE BENJAMIN A. GILMAN, TWENTY-SECOND DISTRICT OF NEW YORK, BEFORE THE SUBCOMMITTEE ON HEALTH OF THE COMMITTEE ON WAYS AND MEANS, REGARDING LONG-TERM HEALTH CARE

Mr. Chairman, Members of the Committee, I would like to take this opportunity to commend you for holding today's hearings on the pressing topic of long-term health care. My colleagues are well aware of the tremendous support throughout the Nation for expanded Federal programs to protect against the devastating effects of long-term illness. As a leading Republican advocate and co-sponsor of the legislation offered by our venerable Chairman of the House Rules Committee, the distinguished Gentleman from Florida, [Mr. PEPPER], I appreciate the Committee's willingness to consider this matter in a prompt and timely fashion. While I voted to allow for full House consideration of the legislation, along with 169 of my colleagues including the 153 bi-partisan co-sponsors, I recognize that the Ways and Means Committee is desirous of affording this problem with the most thorough possible analysis.

Nonetheless, I would commend to the Committee's attention the many merits of the original Pepper bill offered this summer. H.R. 3436 (formerly H.R. 2762) would establish five Activities of Daily Living (ADL's) comprising the minimum essential body functions necessary for the maintenance of quality of life. A disabled person's incapacity to perform any two of the five ADL's would be sufficient to qualify the individual for newly created home care benefits.

Mr. Chairman, this framework for viewing the long-term care dilemma has many beneficial aspects. Perhaps most importantly, our proposal would have the desirable consequence of insuring all Americans, young and old alike, against the high costs typically associated with catastrophic illness. In addition, our method would provide a concrete way for the state and local management agencies established in the legislation to determine eligibility for coverage. Finally, our bill maintains a level of compassion commensurate with the degree of suffering experienced by the victims of long-term illness.

Furthermore, I recommend that the committee retain the financing mechanism in the original Pepper legislation. H.R. 3436 would have eliminated the cap on income subject to the 1.45 percent Medicare payroll tax. This is a progressive change in the tax law which would affect only those 5 percent of American workers who earn more than \$45,000 a year in taxable income. While the change may impose a slight additional burden on those affected, along with Senator Pepper, I feel that this change is necessary in order to protect the estimated 1 million or more Americans impoverished each year due to tragic long-term disabilities. It appears that the American public concurs with our assessment. According to a nationwide survey conducted by Lou Harris & Associates, fully 7 out of 10 Americans would favor such a financing mechanism to provide long-term health care for all Americans.

Finally, Mr. Chairman, I feel certain that the committee is aware of the resistance to this legislation based on the premise that expanded Medicare benefits will contribute to the burgeoning Federal budget deficit. These arguments fly in the face of the Congressional Budget Office (CBO) analysis of costs associated with H.R. 3436. Due to revenue collections which outpace benefit expenditures, CBO indicated that enactment of H.R. 3436 would actually reduce the budget deficit by almost \$2 billion in the first year and by roughly \$6 billion over the first five years. In addition, the Federal provision of long-term care insurance would achieve tremendous cost savings in other social programs which currently serve the victims of long-term illness. At the state and local level, H.R. 3436 would have resulted in savings of roughly \$2.5 billion. This bill pays for itself. For the mid-1990's and beyond, when the revenue picture might change, our proposal includes extensive safeguards to ensure that H.R. 3436 remains self-financed.

Mr. Chairman, I applaud your leadership and the efforts of the Committee to expand coverage for long-term illness. At a minimum, however, I would urge the committee to retain the essential benefits of the original Pepper legislation. Should the committee see fit to provide further benefits, such as coverage for nursing home costs, I would likely support such an effort. However, the final package should retain the Pepper bill emphasis on maintaining the quality of life, protecting all Americans young and old, and paying for the benefits in a self-financing way which avoids increasing the budget deficit.

Thank you for affording me this opportunity to testify.

A SALUTE TO ST. JOSEPH
HOSPITAL SCHOOL OF NURSING

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mrs. BENTLEY. Mr. Speaker, I rise today to salute the St. Joseph Hospital School of Nursing. Like many other nursing schools across the country, this distinguished school has recently had to close its doors. I attended the ceremonies and would like to include some select excerpts from Sr. Margarella's speech into the CONGRESSIONAL RECORD.

At present, there is a shortage of nurses in this country. Fewer and fewer are available to care for the rising number of the sick and the elderly. Because of the potential danger this poses, we must closely examine the implications of nursing school closings and the reduced enrollment at those still open. The low pay, the long and awkward hours, the limited chance for advancement, and the lack of respect in the workplace are the genuine reasons that nurses are dropping out of the profession and prospective ones are looking elsewhere for employment. If this trend is not checked, the health care community could soon face its worst crisis in years.

We must pay strict attention to the situation, for it affects us all. I hope that the passages from Sr. Margarella's speech will give each and every one of you insight into the nursing profession and further understanding of the vital service that these nurses perform for our society.

STATEMENTS MADE AT THE CLOSING OF ST.
JOSEPH HOSPITAL'S SCHOOL OF NURSING

"We gather to honor everyone who learned the art and science of nursing care—that beautiful Christian vocation that privileges us to minister in sickness and in health from pre-birth to those tender last moments when we are privileged to assist another in the passage from life through death into eternity. * * *

"We need to transform the education we received into symbolic memories that have molded our nursing careers and now chart our present journey. We need to reinforce that our learning has prepared us for a future that is still before us as practitioners of a glorious profession. * * *

"We capture these symbolic memories in images because symbols go beyond the image in meaning and significance. The images of our profession take ordinary things: a basin, a stethoscope, a medicine tray or syringe, and make the means of reinforcing not only the qualities of our professional care, but in so doing, capture the heart to fit it all: for nursing's deepest memories when remembered move us to the immaterial: the spirit of hope and joy, of birth and life, of return to health and vigor, or preparation and journey beyond the known to the unknown. * * *

"But even as we say good-bye to our dear school and the sound nursing education it gave to all of us, we as professionals, know that we cannot be true to our past if we do not seek to be creators of the future health provisions for our great society. The next century will begin in less than twelve years, and not one of us will be able to accurately predict what it will bring or challenge us to in the delivery of optimum health care.

While healthier than ever before, our elderly will continue to grow dramatically both in numbers and as a percent of our total population. But the end of the first decade of the next century, it is predicted that more than 55 million citizens will be over 65 years of age. * * *

"We are already aware of the trends which are providing more diagnostic and therapeutic procedures on an ambulatory basis, while the acutely ill patient is filling the hospital beds with care that is becoming more and more expensive. Alternatives to expensive hospital care are being created: there are numerous home care programs in the nation which have been formed by nurses. Hospice programs are increasing in value as families seek an alternative to the hospital for the final days of their loved one's lives. * * *

"Women, including professional nurses, are developing a more independent life style and decision making assertiveness which will influence their roles as wives, mothers and members of the nursing profession. * * *

"Of greatest moment, perhaps, is the challenge for the future which surrounds the quality of life in general. To maintain health and prevent disease, both emotionally and physically, the health provider will need to find new strategies to manage stress and displacement experienced by individuals who are replaced by technology. A new "poor" is being created. It will be a challenge to develop modalities that will enable people to live in a manner that will encourage a sense of purpose, self-worth, and pleasure, while not laboring primarily for material gain. Finally, the dynamic environment in which we are living and which we face for the future presents different opportunities and issues. It should be acknowledged that no one health worker will be able to provide all the care that an individual will need all the time. Therefore it is imperative that nurses, physicians and other professionals join forces and offer a collective approach to meeting the health care needs of our nation's society for the future. * * *

"We serve the public, a most demanding master. As nurses we have committed ourselves to the purpose of serving society. No one can foresee or predict the real changes which will occur in the society of tomorrow. To grow, to improve, to change is our legacy. Our challenge is to continue to learn and to change to meet society's expectations for nursing care. * * *

"We have been fortified by tonight's encounter with each other and the distilling of memories and stories from the past. We know we will continue to carry our profession forward into the future—our future as a part of that larger society in which we live. * * *

THE PRESIDENT OF THE REPUBLIC
OF CYPRUS AND HIS
QUEST FOR PEACE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. BROOMFIELD. Mr. Speaker, the newly elected President of the Republic of Cyprus, Mr. George Vassiliou, recently met with members of the House Foreign Affairs Committee and presented his plan for peace on the

island of Cyprus. All of us were deeply impressed by his commitment to finding a solution to the 14-year division of that island, and by his strong support for a negotiated and fair solution to the Cyprus dilemma.

In recent months, President Vassiliou has traveled to the United Nations and to various European capitals where he presented his demilitarization plan for that divided island. In brief, his plan calls for Turkey to remove both its 30,000 troops and its 65,000 illegal settlers from that island. The Republic of Cyprus would have to dismantle its own defense system and call for the removal of all Greek and Turkish troops in Cyprus under the 1960 Treaty of Alliance. When this effort is completed, the only forces remaining in the Republic will be an international peacekeeping force and a small joint Greek-Turkish Cypriot police force. Both of these groups would be under the auspices of the United Nations.

I believe that President Vassiliou's demilitarization proposal deserves our support. It offers a classic opportunity to restore the sovereignty of Cyprus and addresses the security concerns of the Turkish Cypriots.

President Vassiliou recently agreed to meet with the leader of the Turkish Cypriots, Mr. Rauf Denkash, on August 24 in New York. This meeting will be the first opportunity for those two men to formally discuss the details of the demilitarization plan.

Many years have gone by since the Turkish invasion of Cyprus. The tragic division of that island has divided the Cypriot people and has split up families. Over 200,000 Greek Cypriots had to flee their ancestral homes in the north. The presence of armed troops creates tensions which recently resulted in the killing of a young Greek Cypriot National Guardman. The conflict over Cyprus could undermine the security of NATO's vital southern flank.

Time is of the essence. The opportunity for a negotiated settlement is now. Let us hope that President Vassiliou's energetic commitment to his demilitarization plan for Cyprus will bear fruit and bring peace to that troubled island.

During the President's stay here in Washington, I joined Chairman DANTE FASCELL in crafting a resolution supporting the search for peace in Cyprus and congratulating President Vassiliou and Rauf Denkash for their planned August meeting.

I want to share with my colleagues in the Congress the text of this resolution and thank the chairman for his efforts to expedite committee consideration of this legislative initiative.

H. RES. —

Whereas the Cypriot nation has been tragically divided since the military conflict of 1974;

Whereas the division of Cyprus has persisted despite numerous international mediation efforts, particularly those of the Secretary General of the United Nations;

Whereas the newly elected president of Cyprus, George Vassiliou, has indicated that he is committed to a peaceful, negotiated settlement of the 14-year dispute over the division of the island;

Whereas President Vassiliou's visit to the United States is aimed at stimulating United States support for further international efforts to resolve the Cyprus issue;

Whereas President George Papandreou of Greece and Prime Minister Turgut Ozal of Turkey have initiated a series of meetings aimed at reducing bilateral tensions; and

Whereas President Vassiliou and Turkish Cypriot leader Rauf Denktash are scheduled to meet in the near future in New York under the auspices of the United Nations: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends President Vassiliou of Cyprus and Turkish Cypriot leader Denktash for agreeing to meet in the near future on steps to resolve the Cyprus issue;

(2) congratulates President Vassiliou, Mr. Denktash, and United Nations Secretary General Javier Perez de Cuellar for arranging this meeting in order to further the internationally mediated process of resolving the division of Cyprus; and

(3) expresses its strong support for the United Nations mediation effort and continuation of negotiations between all parties to the dispute.

PROBLEM OF WRONGFUL EXECUTION IN CAPITAL CASES

HON. HARLEY O. STAGGERS, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1988

Mr. STAGGERS. Mr. Speaker, I would like to bring to my colleagues' attention an article from the New York Times highlighting a study which focused on the problem of wrongful execution in capital cases. I urge my colleagues to read this article before contemplating attaching a death penalty amendment to the drug bill. The fallibility of human reasoning is undeniable—if we must err, let us err in favor of life:

WRONGFULLY EXECUTED IN UNITED STATES, STUDY FINDS

(By David Margolick)

A new study on capital punishment in the United States asserts that in this century 343 people were wrongly convicted of offenses punishable by death and that 25 were actually executed.

The study was done in part to rebut assertions that the problem of wrongful execution is at best theoretical, the authors said. The American Civil Liberties Union, which opposes the death penalty, is circulating the report.

"Regardless of our position on capital punishment," the authors wrote, "a criminal justice system culminating in the death penalty is fallible, and the gravest errors in its administration are inevitable."

"This report adds a very significant dimension to the debate over capital punishment," said Julian Epstein, a spokesman for Representative John Conyers Jr., a Michigan Democrat who is chairman of the House Judiciary Committee's Subcommittee on Criminal Justice, which is now holding hearings on the death penalty.

A VERY ACCEPTABLE NUMBER

But Ernest van den Haag, a professor of jurisprudence and public policy at Fordham University who is a long-time supporter of the death penalty, said the apparent infrequency of improper executions over 85 years buttressed the case for capital punishment. He called the 25 wrongful executions, "if true, a very acceptable number," and added:

"All human activities—building houses, driving a car, playing golf or football—cause innocent people to suffer wrongful death, but we don't give them up because on the whole we feel there's a net gain. Here, a net gain in justice is being done."

Henry Schwarzschild, director of the A.C.L.U.'s capital punishment project, said: "The study shows that in hundreds of routine criminal cases, including cases where the defendant's life is at stake, the criminal justice system makes egregious errors. It convicts innocent people and it executes innocent people."

Capital punishment has been abolished in most of the Western world and was halted in the United States for a decade after 1967, in which time the Supreme Court invalidated state and Federal death-penalty laws. In 1976 the Court upheld the constitutionality of the penalty, and 49 people here have since been executed.

7,000 EXECUTED SINCE 1900

More than 7,000 people have been executed in this country since 1900, according to the study's authors, Hugo A. Bedau of Tufts University and Michael L. Radelet of the University of Florida.

"One or more persons in every year of this century have been on death row who are eventually shown to be innocent," their report said. "Although this rate shows some decline since 1950, there is every reason to believe that at this moment, one or more of the over 1,600 men and women currently under sentence of death are innocent."

The study was financed by the Veatch Program of the North Shore Unitarian Universalist Society of Plandome, L.I., which has also provided money for many liberal groups that seek to change national policies on social issues. The authors said their two-year study was the first comprehensive survey of erroneous convictions in death penalty cases since Mr. Bedau made a similar study 20 years ago.

The authors said they had "only scratched the surface" in their study, whose findings were summarized yesterday at the annual convention of the American Society of Criminology in San Diego.

Among those listed as unfairly executed are the anarchists Nicola Sacco and Bartolomeo Vanzetti, convicted of murder; Bruno R. Hauptmann, convicted of kidnapping and murdering the baby of Charles A. Lindbergh, and Ethel and Julius Rosenberg, convicted of conspiring to spy for the Soviet Union.

Many people maintain that these executions were proper, and the authors acknowledged that some of those listed as wrongfully convicted may well have been guilty.

But in 32 cases they cited it turned out that no crime had been committed, usually because the purported murder victim was found alive.

AMENDMENT TO THE OMNIBUS DRUG INITIATIVE ACT OF 1988

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. PORTER. Mr. Speaker, I will be introducing the following as an amendment to the Omnibus Drug Initiative Act of 1988.

AMENDMENT TO COMMITTEE PRINT OF THE COMMITTEE ON RULES OFFERED BY MR. PORTER OF ILLINOIS

Page 207, strike line 1 and all that follows through line 12 on page 211 and insert in lieu thereof the following:

SEC. 6503. WAITING PERIOD REQUIRED BEFORE SALE, DELIVERY, OR TRANSFER OF HANDGUN.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

"(p)(1) It shall be unlawful for any person to sell, deliver, or transfer a handgun, otherwise permitted by law, to an individual who is not licensed under section 923 unless—

"(A) before delivery of the handgun and within 1 day after the date the transferee proposes such transfer, the transferor has sent by registered or certified mail (return receipt requested) to the chief law enforcement officer of the place of residence of the transferee a copy of a sworn statement by the transferee notifying the officer of the proposed transaction; and

"(B) 15 days have elapsed from the date the sworn statement was sent and the transferor has not received information from the chief law enforcement officer that—

"(i) receipt or possession of the handgun by the transferee would be in violation of Federal law or of a State or local law of the residence of the transferee; or

"(ii) the transferee is receiving or has received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association) and has not been documented medically to have been cured of such disorder.

"(2) The sworn statement referred to in paragraph (1) shall contain only—

"(A) an accurate description of the handgun which is the subject of the proposed transaction;

"(B) the serial number of the handgun;

"(C) the name, address, and date of birth appearing on a valid piece of the transferee's personal identification containing a photograph of the transferee, and a description of the identification used;

"(D) a statement that Federal law does not prohibit the receipt of the handgun by the transferee;

"(E) a statement that the transferee has never received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association), or, if the transferee has received such treatment, the name and address of the person from which, or the facility at which, the transferee received such treatment and medical documentation showing that the transferee has been cured of the disorder; and

"(F) the date the sworn statement is made.

"(3) Any transferor who, after a handgun has been transferred to the transferee, receives a report from a chief law enforcement officer containing information that receipt or possession of the handgun by the transferee is in violation of Federal law or of State or local law of the residence of the transferee, or that the transferee has received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association) and has not been documented medically to have been cured of such disorder, shall immediately communicate all information

the transferor has about the transfer and the transferee to—

"(A) the chief law enforcement officer of—

"(i) the place of business of the transferor, in the case the transferor is a licensed importer, licensed manufacturer, or licensed dealer; or

"(ii) the place of residence of the transferor, in any other case; and

"(B) the chief law enforcement officer of the place of residence of the transferee.

"(4) Any transferor who receives information, not otherwise available to the public, in a report under this subsection or from a dealer with respect to such a report shall not disclose such information except—

"(A) to a law enforcement officer;

"(B) to a Federal or State court; or

"(C) to a dealer.

"(5)(A) Any transferor who sells, delivers, or otherwise transfers a handgun to a transferee shall retain the copy of the sworn statement of the transferee with respect to the handgun transaction for at least 1 year after the date the transaction is completed.

"(B) Unless the chief law enforcement officer to whom a copy of the sworn statement is sent determines that the proposed transaction which is the subject of the statement would violate Federal, State, or local law, or that the transferee is receiving or has received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association) and has not been documented medically to have been cured of the disorder, the officer shall destroy the copy within 60 days after the date transferee made the statement.

"(6) As soon as is practicable after receipt of a copy of a sworn statement made by a transferee under paragraph (1)(A)(i), the chief law enforcement officer receiving such statement shall—

"(A) contact all Federal law enforcement agencies to obtain information on—

"(i) whether or not the transferee has been convicted of a violation of Federal, State, or local law;

"(ii) whether or not the transferee is a fugitive from justice; and

"(iii) whether or not the transferee is receiving or has received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association) and, if so, whether or not the transferee has been documented medically to have been cured of the disorder; and

"(B) except as otherwise prohibited by law or rule of law, determine—

"(i) whether or not the proposed transaction which is the subject of the statement would violate Federal, State, or local law; and

"(ii) whether or not the transferee is receiving or has received treatment for a significant behavioral, emotional, or mental disorder (as defined in the most recent diagnostic manual of a nationally recognized psychiatric association), and, if so, whether or not the transferee has been documented medically to have been cured of the disorder.

"(7) Notwithstanding any other provision of this title—

"(A) any dealer who violates any provision of this subsection shall be fined not more than \$1,000, or imprisoned for not more than 1 year, or both; and

"(B) any other individual who willfully violates any provision of this subsection shall be fined not more than \$500.

"(8) For purposes of this subsection, 'chief law enforcement officer' means the chief of police, the sheriff, an equivalent officer, or the designee of any such individual.

"(9) The Secretary shall take necessary actions to ensure that the provisions of this subsection are published and disseminated to dealers and to the public."

(b) **HANDGUN DEFINED.**—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

"(25) The term 'handgun' means a firearm which has a short stock and is designed to be held and fired by the use of a single hand or any combination of parts from which a handgun can be assembled."

(c) **EFFECT ON STATE LAW.**—Section 927 of title 18, United States Code, is amended by—

(1) inserting "(a)" before "No"; and

(2) adding at the end the following:

"(b) A provision of State law is not in direct and positive conflict with section 922(p) if the provision provides—

"(1) for a waiting period of at least 15 days before the transfer of a handgun; or

"(2) that, before a handgun transfer is completed, a law enforcement officer shall determine that the transferee is qualified under law to receive a handgun."

(d) **CONFORMING AMENDMENT.**—Section 924(a)(1) of title 18, United States Code, is amended by inserting "section 922(p)," after "section," the first place it appears.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to transfers first proposed on a date occurring 90 or more days after the date of the enactment of this Act.

CONSULTANT REGISTRATION AND REFORM ACT OF 1988 INTRODUCED

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. BENNETT. Mr. Speaker, on behalf of myself and Mr. RIDGE of Pennsylvania, as the two cochairmen of the Congressional Military Reform Caucus, I am introducing the Consultant Registration and Reform Act of 1988.

This bill is an identical House companion to S. 2674, which was introduced August 1 by Senator DAVID PRYOR. Senator PRYOR first authored this legislation 7 years ago, and has since modified it based on recent hearings and investigations. Doubtless, many persons will be able to suggest improvements, and such suggestions will be welcome. But this bill is a thoughtful attempt to comprehensively address this problem. It seems that in this day and age, the conduct of Government business is helped by the service of consultants. But we cannot allow persons who are not subject to normal accountability to operate in the shadows and slip between the cracks.

Mr. Speaker, this is essentially a sunshine bill. It does not stop agencies or contractors from using consultants. But it does ensure that there is full disclosure so that the Government is protected from conflicts of interest and unwelcome surprises.

We do not yet have the full story on the recent scandal at the Department of Defense [DOD], and will not for many months. But it is clear that consultants are a part of the problem. We do not know who they are, what they do, who they work for, or even at times whether their loyalties are to Government or industry.

Obviously, the first step is to require full information about their activities, and to stop consultants who refuse to provide this information from doing business directly with the Government, or with Government contractors. We must act immediately to get good information. Then, based on this information and the full facts about the defense scandal, Congress can take further action as necessary.

SUMMARY OF MAJOR PROVISIONS

The most important provisions of the bill are as follows:

(1) Require registration by all consultants working for the Government or to prime contractors working on Government projects—including all Federal agencies;

(2) Require such registration by the consultant to include a description of services furnished each client, a list of all public and private clients—domestic and foreign—a statement as to whether the consultant has ever been convicted of a felony or is under indictment, a statement as to whether the consultant is currently suspended or debarred, and a certification that the consultant and its employees are not in violation of conflict-of-interest laws;

(3) Prohibit the Government from hiring a consultant unless the consultant registers and the Defense Department determines that the consultant does not have a conflict of interest;

(4) Require contractors receiving Government contracts to certify that each consultant who assisted in obtaining the contract has properly registered;

(5) Require reports prepared by consultants for Federal agencies to be clearly identified as such, and not presented as agency work;

(6) Upon completion of a contract by a consultant for the Government, require an agency evaluation of the performance of the consultant;

(7) Require Federal agencies to submit with their budget requests an itemized statement of amounts requested for consultant services;

(8) Require Federal agencies to accurately report to the Federal procurement data computer system on contract awards for consultant services;

(9) Make information on Government contracts with consultants publicly available;

(10) Require public notice of an award of a contract for consulting services, and require internal agency review of any proposed award of a contract for consulting services to be made on the basis of an unsolicited proposal.

Following appears a section-by-section analysis, and also the full text of the bill as introduced:

CONSULTANT REGISTRATION AND REFORM ACT OF 1988

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill "The Consultant Registration and Reform Act of 1988."

Section 2 sets out Congressional findings regarding the government's use of consult-

ants; the lack of compliance by the Inspectors General with current law and the need for stricter Congressional oversight in this area.

Section 3 states that it is the policy of the United States to have Federal government policy and decisions made by accountable Federal officials; that procurement of advisory and assistance services should be carried out in compliance with applicable procurement laws and regulations; and that Federal government functions should be performed in the most economical fashion while recognizing the inherently governmental nature of certain activities.

Section 4 defines the terms used in the Act. It defines consultants as those persons or firms who provide "advisory and assistance services", which includes management and professional services; the conduct and preparation of studies, analyses, and evaluations; and engineering and technical services.

Section 5 requires the publication of notices of advisory and assistance services contracts, including those based on unsolicited proposals, worth \$25,000 or more. Notice must be placed in the "Commerce Business Daily" at least 30 days prior to the award of the contract.

Section 6 institutes monitoring requirements on advisory and assistance services contracts. Before the award of such a contract worth more than \$25,000 which is based on an unsolicited proposal, the responsible employee must transmit a written notice of the proposed contract and the justification for the contract to the Inspector General. No later than 30 days after the award of an advisory and assistance services contract worth \$25,000 or more, the responsible employees shall provide the Inspector General with the justification for the contract. Whenever an advisory and assistance service contract is modified by at least \$25,000, the responsible employee shall transmit to the Inspector General a written notice of the modification which shall include a description of the original contract, a description of the modification and the justification for the modification.

Section 7 requires that each report submitted to an agency by a contractor or consultant and each agency report which is substantially derived from such a report include the following information: the name and business address of the contractor; the total amount of the contract; a notification of whether the contract was awarded using competitive or noncompetitive procedures; the name of the office which authorized the award of the contract; in the case in which a subcontractor is used to prepare any portion of the contractor's report, the name and address of the subcontractor and the amount paid to the subcontractor; and the names of all employees of the contractor and any subcontractor who substantially contributed to the preparation of the report submitted to the agency.

Section 8 requires an evaluation of the contractor's performance. Within 90 days after the completion of a consultant contract worth more than \$25,000, the agency must prepare a written evaluation of the consultant's performance. The evaluation shall include a summary description of the contractor's performance; an assessment of the performance judged against the terms of the contract; any differences between the action cost and time for completion of the contract and the estimated cost and time for completion; and the purposes for which the services were procured and the use to which any reports were put. The contractor shall

be given a copy of the evaluation and shall have 10 days to transmit any comments to the agency regarding the evaluation.

Section 9 requires that both the agency and President's budget contain itemized statements regarding the amounts requested for consultant services.

Section 10 amends Section 1114, Title 31 to require agency heads to provide information regarding advisory and assistance services costs which are embedded in larger contracts.

Section 11 requires that certain information regarding agency contracts be available to the public. Each agency shall be required to keep and make available to the public a list of all contracts entered into during the previous year. That list shall be updated quarterly and contain the following information: the contract identification number assigned by the agency, the contractor's name, the date of the award and the estimated completion date, the original and current amounts paid under the contract, and a brief description of the work to be performed.

Section 12 creates a consultant registration requirement for all consultants doing business with the government directly or for prime contractors who are working on government projects. A contract for advisory and assistance services may not be awarded unless the consultant complies with the registration requirement and the General Counsel has reviewed the registration information and determined that the consultant does not have a conflict of interest that could be prejudicial to the interests of the United States. A consultant is required to provide the following information: name and address, a description of the services provided by the consultant, a list of all public and private clients, both foreign and domestic, a description of the services furnished each client, and a statement as to whether the consultant has even been convicted of a felony or whether the consultant is under indictment, a statement as to whether the consultant is currently suspended or debarred by the government. The Inspector General is charged with monitoring compliance with this section and shall submit an annual report to Congress containing the IG's findings. If a consultant fails to comply with this section, suspension and debarment proceeding shall be initiated.

Section 13 provides for an exception for sensitive foreign intelligence or counterintelligence activities, sensitive law enforcement investigations or is classified under the national security classification system under sections 5, 6, 7, 8, 9, and 11.

Section 14 provides for an effective date of 180 days after the date of enactment of the bill.

H.R. 5158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consultant Registration and Reform Act of 1988".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Federal procurement officials have not consistently complied with procurement laws, regulations, and management guidelines in awarding contracts for the procurement of advisory and assistance services.

(2) Procurement practices relating to the procurement of advisory and assistance services do not (A) adequately provided for

full and open competition, (B) adequately prevent conflicts of interest, or (C) adequately provide for public disclosure of the use and role of contractors who provide such services and studies.

(3) Information regarding the Federal Government's use of advisory and assistance services is not maintained in a manner that results in helpful or meaningful information being available to Congress, the executive branch or the public.

(4) Federal Government agencies have not consistently complied with the requirement in section 1114 of title 31, United States Code, to include in budget justifications submitted to Congress the amounts requested for consulting services, and the Inspector General (and comparable officials) of such agencies have not consistently complied with the requirement in such section to submit to Congress certain evaluations relating to contracts for consulting services.

(5) Full and open competition in the Federal procurement process is consistent with the basis of the free enterprise system and enables the Federal Government to obtain maximum value for Federal procurement expenditures.

(6) The costs of performing governmental functions are borne by the taxpayer regardless of whether the functions are performed in the private or public sector.

(7) The integrity of the governmental process, especially when advisory and assistance services are used in the performance of governmental functions, requires full public disclosure of the use and role of contractors who perform such functions.

(8) Legislation and oversight is necessary in order to establish and implement consistent policies and practices needed for procurement of advisory and assistance services.

SEC. 3. POLICY

It is the policy of the United States that—

(1) Federal Government policymaking and decisionmaking functions should be performed by accountable Federal Government officials;

(2) the procurement of advisory and assistance services should be carried out in compliance with applicable procurement laws and regulations; and

(3) Federal Government functions should be performed using the most economical means available while recognizing the inherently governmental nature of certain activities.

SEC. 4. DEFINITIONS

In this Act:

(1) The term "agency" has the same meaning as is provided in section 552(f) of title 5, United States Code.

(2) The term "contract" means (A) any agreement, including any amendment to or modification of an agreement, entered into by the Federal Government for the procurement of property or services, and (B) any letter authorizing the provision of property or services to the United States prior to a specification of the compensation for the provision of such property or services.

(3) The term "contractor" means any person, including, in the case of a business organization, any affiliate of such organization and including any consultant and any organization of consultants, which is a party to a contract with the Federal Government.

(4) The term "report" means a written study, plan, evaluation, analysis, manual, or similar document, in draft or final form, which is prepared by a contractor pursuant to a contract with an agency and which is

submitted to such agency or is submitted on behalf of such agency to any other agency. Such term does not include a billing document, invoice, or other routine business transmittal made with respect to the contract.

(5)(A) The term "advisory and assistance services" means those services acquired by an agency from any nongovernmental source, by contract, to support or improve agency policy development, decisionmaking, management, and administration, or to support or improve the operation of management systems.

(B) Such term includes—

(i) management and professional services;
(ii) the conduct and preparation of studies, analyses, and evaluations; and
(iii) engineering and technical services.

(6) The term "management and professional services" means professional services relating to the management and control of programs, including—

(A) management data collection services;

(B) policy review and development services;

(C) program evaluation services;

(D) program management support services;

(E) program review and development services;

(F) systems engineering services; and

(G) other management and professional services of a similar nature which are not related to any specific program.

(7) The term "studies, analyses, and evaluations" includes the following:

(A) Any analysis or other examination of a subject which—

(i) is undertaken to provide greater understanding of relevant issues and alternatives regarding organizations, policies, procedures, systems, programs, and resources; and

(ii) leads to conclusions or recommendations with respect to planning, programming, budgeting, decisionmaking, or policy development.

(B) With respect to a program of an agency, any study initiated by or for the program management office of the agency.

(C) A cost-benefit analysis, a data analysis (other than a scientific analysis), an economic study or analysis, an environmental assessment or impact study, a legal or litigation study, a legislative study, a regulatory study, a socioeconomic study, and a feasibility study which does not relate to construction.

(D) A geological study, a natural resource study, a scientific data study, a soil study, a water quality study, a wildlife study, and a general health study.

(E) Any similar study or analysis.

(8) The term "engineering and technical service" means the furnishing of advice or training to personnel in order to ensure the efficient and effective operation of maintenance of equipment and associated software by such personnel.

SEC. 5. PUBLIC NOTICE OF CONTRACTS FOR ADVISORY AND ASSISTANCE SERVICES

(a) IN GENERAL.—An agency may not award a contract for advisory and assistance services estimated to cost more than \$25,000 unless a notice describing such contract is published in the Commerce Business Daily at least 30 days before the award.

(b) EXCEPTION.—The head of an agency is not required by this subsection to transmit to the Secretary of Commerce a notice with respect to a contract for advisory and assistance services if the agency's need for such services is of such an unusual and compel-

ling urgency that the United States would be seriously injured as a result of delaying the award of the contract until such a notice has been published.

(c) INAPPLICABILITY OF OTHER NOTICE EXCEPTIONS.—No exception to a contract notice requirement provided in any other provision of law shall apply to a notice required under subsection (a).

SEC. 6. MONITORING PROCUREMENTS OF ADVISORY AND ASSISTANCE SERVICES

(a) CONTRACT AWARDS.—(1) Before an employee of an agency awards a contract for advisory and assistance services for an amount of \$25,000 or more on the basis of an unsolicited proposal, such employee shall transmit to the Inspector General of such agency or a comparable official, or in the case of an agency which does not have an Inspector General or a comparable official, the head of the agency or his designee, a written notice of the proposed contract award. The notice shall include a description of the contract and the justification for the contract.

(2) Not later than 30 days after the date on which an employee of an agency awards a contract for advisory and assistance services for an amount of \$25,000 or more, such employee shall transmit to the Inspector General of such agency or a comparable official of the agency, or in the case of an agency which does not have an Inspector General or a comparable official, the head of the agency or his designee, a justification for the award of such contract.

(b) CONTRACT MODIFICATIONS.—Whenever an employee of an agency modifies a contract for advisory and assistance services and the modification of such contract increases the amount of the contract by at least \$25,000, such employee shall transmit to the Inspector General of such agency or a comparable official of the agency, or in the case of an agency which does not have an Inspector General or a comparable official, the head of the agency or his designee, a written notice of the modification. The notice shall include—

(A) a description of the original contract;

(B) a description of the modification; and

(C) the justification for the modification.

SEC. 7. IDENTIFICATION OF REPORTS PREPARED BY CONTRACTORS.

Each report submitted to an agency by a contractor, and each agency report which is substantially derived from or includes substantial portions of any such contractor report, shall include the following information:

(1) The name and business address of the contractor.

(2) The total amount of the contract.

(3) A statement of whether the contract was awarded using competitive or noncompetitive procedures.

(4) The name of the office which authorized the award of the contract.

(5) In any case in which a contractor uses a subcontractor to prepare any portion of the report submitted by the contractor, the name and business address of the subcontractor and the amount paid to the subcontractor for preparation of the report.

(6) The name of all employees of the contractor, and any subcontractor, who substantially contributed to the preparation of the report submitted by the contractor.

SEC. 8. EVALUATION OF CONTRACTOR PERFORMANCE.

(a) EVALUATION.—Within 90 days after the completion of the performance of a contract for advisory and assistance services, the head of the agency that awarded the con-

tract shall prepare a written evaluation of the contractor's performance. An evaluation is not required under this subsection in the case of a contract that does not exceed \$25,000.

(b) CONTENT OF EVALUATION.—An evaluation of contractor performance under subsection (a) shall include the following information:

(1) A summary description of the performance of the contractor.

(2) An assessment of the performance of the contractor based on the terms and specifications of the contract performed.

(3) Any differences between the cost of the contract and the time for completion of the contract as provided in or estimated for such contract at the time of contract award and the actual cost of the contract and the actual time for completion of the contract, respectively, and a statement of the reasons for any such difference.

(4) The purposes for which and the manner in which the services procured and any reports received under such contract are used by the agency.

(c) RECORD OF EVALUATION.—The head of an agency shall include each evaluation required by subsection (a) in the records maintained by the agency in connection with the contract to which the evaluation relates, and shall maintain copies of all such evaluations in one location in the agency that is readily accessible to the public.

(d) CONTRACTOR'S RIGHTS.—After preparing an evaluation of contractor performance under this section, the head of an agency shall promptly transmit to the contractor a copy of the evaluation together with a notice stating that the contractor may, within 10 days after receiving such copy, transmit comments to the agency concerning such evaluation. Any such comments shall be made a part of the evaluation as a supplement.

SEC. 9. BUDGET INFORMATION.

(a) AGENCY SUBMISSIONS.—The head of each agency shall include with the request for regular appropriations for each fiscal year submitted to the President pursuant to section 1108 of title 31, United States Code, an itemized statement of the amounts requested by the agency for procurement of advisory and assistance services in such fiscal year. The statement shall identify such amounts according to the same subfunctional categories to be used by the President in the submission of the budget for such fiscal year pursuant to section 1105 of title 31, United States Code, and, within each such category, shall identify such amounts according to classifications for procurement of—

(1) management and professional services;

(2) studies, analyses, and evaluations;

(3) engineering and technical services; and

(4) other advisory and assistance services.

(b) BUDGET SUBMISSIONS.—The budget submitted by the President to Congress for each fiscal year under section 1105 of title 31, United States Code—

(1) shall set forth separately, within each subfunctional category used in such budget, requests for new budget authority for, and estimates of outlays by, each agency for procurement of advisory and assistance services; and

(2) within each such category, shall identify such requests and estimates according to classifications for procurement of—

(A) management and professional services;

(B) studies, analyses, and evaluations;

(C) engineering and technical services; and

(D) other advisory and assistance services.

(c) JUSTIFICATIONS FOR REVISIONS OF BUDGET REQUEST.—Within 60 days after the President transmits to Congress a revision of any request for new budget authority or of any estimate of outlays included in the budget for any fiscal year pursuant to subsection (b), the head of the agency affected by such revision shall prepare and transmit to Congress an analysis of such revised request or of such revised estimate, as the case may be, and a statement justifying the need for such revised request or such revised estimate.

SEC. 10. FEDERAL PROCUREMENT DATA SYSTEM.

Section 1114 of title 31, United States Code, is amended by adding at the end the following:

"(c)(1) The head of each agency shall provide the Federal Procurement Data System timely, complete, and accurate information on (A) contracts awarded by such agency primarily for the procurement of consulting services, and (B) all procurements of consulting services under contracts awarded by such agency not primarily for the procurement of consulting services.

"(2) The information provided under paragraph (1) shall include the amounts expended for the procurement of consulting services specified separately for contracts described in clause (A) of such paragraph and for procurements described in clause (B) of such paragraph.

"(3) The subsection shall not apply to a contract for consulting services, or any data, reports, or other material pertaining to such services, if the contract—

"(A) involves sensitive foreign intelligence or foreign counterintelligence activities;

"(B) involves sensitive law enforcement investigations; or

"(C) is classified under the national security classification system.

"(d) In this section:

"(1) The term 'consulting services' includes advisory and assistance services.

"(2)(A) The term 'advisory and assistance services' means those services acquired by an agency from any nongovernmental source, by contract, to support or improve agency policy development, decisionmaking, management, and administration, or to support or improve the operation of management systems.

"(B) Such term includes—

"(i) management and professional services;

"(ii) the conduct and preparation of studies, analyses, and evaluations; and

"(iii) engineering and technical services.

"(3) The term 'management and professional services' means professional services relating to the management and control of programs, including—

(A) management data collection services;

(B) policy review and development services;

(C) program evaluation services;

(D) program management support services;

(E) program review and development services;

(F) systems engineering services; and

(G) other management and professional services of a similar nature which are not related to any specific program.

"(4) The term 'studies, analyses, and evaluations' includes the following:

"(A) Any analysis or other examination of a subject which—

"(i) is undertaken to provide greater understanding of relevant issues and alternatives regarding organizations, policies, procedures, systems, programs, and resources; and

"(ii) leads to conclusions or recommendations with respect to planning, programming, budgeting, decisionmaking, or policy development.

"(B) With respect to a program of an agency, any study initiated by or for the program management office of the agency.

"(C) A cost-benefit analysis, a data analysis (other than a scientific analysis), an economic study or analysis, an environmental assessment or impact study, a legal or litigation study, a legislative study, a regulatory study, a socioeconomic study, and a feasibility study which does not relate to construction.

"(D) A geological study, a natural resource study, a scientific data study, a soil study, a water quality study, a wildlife study, and a general health study.

"(E) Any similar study or analysis.

"(5) The term 'engineering and technical services' means the furnishing of advice or training to personnel in order to ensure the efficient and effective operation or maintenance of equipment and associated software by such personnel."

SEC. 11. PUBLIC AVAILABILITY OF INFORMATION ON CONTRACTS.

(a) LISTS AND JUSTIFICATIONS.—(1)(A) Not later than November 1, 1989, the head of each agency shall compile a list of all contracts awarded by the agency during fiscal year 1988 and a separate list of all contracts entered into by the agency for which performance has not been completed at the time of the preparation of such list. Each list shall be updated, on a quarterly basis, with information on contracts awarded since the list was prepared.

(B) Each list of contracts compiled and updated by the head of an agency under subparagraph (A) shall include, for each such contract, the following information:

(i) The contract identification number assigned by the agency.

(ii) The contractor's name.

(iii) The date of award and the estimated completion date.

(iv) The original and current amounts to be paid by the agency under the contract.

A brief description of the work to be performed

(2) The head of each agency shall maintain a written justification for each contract awarded by the agency.

(3) The head of each agency shall permit the public to inspect and make copies of the list prepared and updated under paragraph (1) and the justifications maintained under paragraph (2). The agency may impose a reasonable charge for the costs of making such copies.

(b) OTHER INFORMATION.—Except as otherwise provided by law, the following information shall be available to the public upon request:

(1) Copies of contracts awarded by an agency.

(2) In the case of a contract for advisory and assistance services, the name and qualifications of each person designated in such contract to perform such contract.

(3) In the case of a contract for advisory and assistance services awarded on a sole source basis, the justification for awarding such contract on a sole source basis.

SEC. 12. PROHIBITIONS AND REQUIREMENTS RELATING TO REGISTRATION OF CONSULTANTS.

(a) PROHIBITED CONTRACT AWARDS INVOLVING CONSULTANTS.—(1) The head of an agency may not award a contract for the procurement of advisory and assistance services to a consultant unless—

(A) such consultant complies with the registration requirements of this section; and

(B) the General Counsel of the agency has reviewed the information registered by such consultant and such other information as may be available to the head of the agency and determined that, with respect to such contract, the consultant does not have a conflict of interest that could be prejudicial to the interests of the United States.

(2) The head of an agency may not award a contract to any person submitting an offer to such agency unless the offeror certifies that each consultant that has furnished advice, information, direction, or assistance to the offeror in support of the preparation or submission of the offer has complied with the registration requirements of this section.

(b) REGISTRATION REQUIREMENTS.—(1) A consultant submitting an offer for a contract referred to in subsection (a)(1) shall register with an officer or employee designated by the head of the agency awarding such contract. The consultant shall register within such time after submitting the offer as the head of that agency shall prescribe in regulations.

(2) A consultant retained by a person in connection with the preparation or submission of an offer for a Federal Government contract shall register with an officer or employee designated by the head of the agency awarding such contract. The consultant shall register within such time after the retention of such consultant as the head of that agency shall prescribe in regulations.

(3) A consultant who is registered with an agency under this subsection with respect to one contract shall update the registered information whenever the consultant submits an offer for another contract of such agency (if such contract is for the procurement of advisory and assistance services) and whenever the consultant is retained by a person in connection with the preparation or submission of an offer for another contract of such agency. The consultant shall update such information within such time as the head of that agency shall prescribe in regulations.

(c) INFORMATION REQUIRED.—A person registering as a consultant under this section shall furnish the following information:

(1) The name and address of the consultant.

(2) A description of the nature of the services furnished by the consultant in the normal course of the consultant's business.

(3) A list of all public and private clients for which the consultant has furnished advisory and assistance services, including foreign and domestic clients.

(4) A description of the services furnished each such client by the consultant.

(5) A statement of whether the consultant has ever been convicted of a felony and whether, at the time of the registration, there is pending any indictment or information charging the consultant with a felony.

(6) A statement of whether, at the time of the registration, the consultant is ineligible, by reason of suspension or debarment, to be awarded a contract by the Federal Government.

(7) A certification that, at the time of the registration, the consultant and all employees of the consultant are not in violation of any applicable requirement set out in, and are not engaged in any conduct prohibited by, sections 2397, 2397a, 2397b, and 2397c of title 10, United States Code, any similar provision of law, and any contract term required by such section 2397c (or any similar provision of law).

(d) The Inspector General of each agency or, in the case of an agency that does not have an Inspector General, the head of such agency shall monitor the compliance of consultants with the registration requirements of this section and shall submit to Congress an annual report containing a discussion of the extent of such compliance. The first report of each agency shall be submitted not later than one year after the date of the enactment of this Act.

(e) Suspension and debarment proceedings shall be initiated in the case of each consultant who fails to comply with the registration requirements of this section.

(f) In this section, the term "consultant" means any person (including, in the case of a business organization, any affiliate of such organization) that—

(1) furnishes or offers to furnish advisory and assistance services; or

(2) furnishes advice, information, direction, or assistance to any other person in support of the preparation or submission of an offer for a Federal Government contract by such other person.

SEC. 13. EXCEPTIONS.

Sections 5, 6, 7, 8, 9, and 11 shall not apply to a contract for advisory and assistance services, or any data, reports, or other material pertaining to such services, if the contract—

(1) involves sensitive foreign intelligence or foreign counterintelligence activities;

(2) involves sensitive law enforcement investigations; or

(3) is classified under the national security classification system.

SEC. 14. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 180 days after the date of the enactment of this Act.

HEALTH INSURANCE FOR THE SELF-EMPLOYED

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. STARK. Mr. Speaker, I am introducing today legislation to amend the Internal Revenue Code of 1986 to make permanent and to increase to 100 percent the deduction for the health insurance costs of self-employed individuals.

Access to health care should be considered a basic right of every American. Unfortunately, our society has not yet reached that goal, and it appears that we are slipping further away from it every year.

In 1986 there were an estimated 36.9 million Americans without health insurance and

another 7 to 10 million Americans with partial coverage for a portion of the year. From all signs, the number of uninsured Americans is growing. Almost 15 percent of the nonfarm population were not covered in 1980, while almost 18 percent were not covered in 1986.

The most startling statistic associated with the uninsured is that the majority are employed. Some 19 million people or 55 percent of the uninsured were employees and almost 70 percent of this population live in families of full-time, full-year workers. For most of these families, the family head experienced no unemployment.

Many of these employed Americans or their dependents work for self-employed individuals or small unincorporated businesses. While 90 percent of workers with more than 26 employees are offered health insurance, only about half of businesses with 25 workers or less offer their employees health insurance. The inability of self-employed individuals to take the business deduction for their health insurance has been a significant disincentive to the provision of health insurance in these businesses.

Under current tax law, the cost of employer paid health insurance premiums is not counted as taxable income to workers. In small, unincorporated businesses, however, the owner-operator of the business receives tax benefit for only 25 percent of the cost of his or her own health insurance. If the owner offers health insurance to employees, they do not pay any tax on the cost of the premium, but the self-employed owner must pay 75 percent of the cost of the premium out of after-tax dollars.

Given the number of Americans without health insurance we need to provide all of the incentives we can to encourage the provision of health insurance. Lack of health insurance coverage often means that proper care is delayed until the problem is serious. Research shows that uninsured persons are less likely to see a physician in a year, less likely to have children appropriately immunized, less likely to receive prenatal care, and less likely to see a physician if they have serious symptoms.

Medical care for the uninsured often begins at the hospital, instead of beginning as it should with primary medical care provided in a physician's office. This means that not only do these individuals not receive the kind of early and comprehensive care which could solve problems before they are serious, but the care they do receive is provided in the most expensive health care setting, the hospital.

Moreover, the increase in bad debt and charity care is putting a difficult burden on the backs of those hospitals which try to step in and shoulder the load. In 1985, hospitals provide \$7.4 billion in uncompensated care. This is a particularly difficult burden for public hospitals which have only about 21 percent of hospital beds, but provide 55 percent of all charity care.

This bill would be one small step toward our goal of providing universal access to health care. I urge my colleagues to join me in seeking its enactment.

THE JOB RELOCATION INCENTIVES ACT OF 1988

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday August 4, 1988

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation that will provide a tax incentive for American corporations with foreign operations to relocate here in the United States in areas with high unemployment.

Mr. Speaker, America is supposed to be the land of incentives and opportunity. Sadly, over the past 10 years America has experienced a dramatic loss of manufacturing jobs. For U.S. manufacturers incentives and opportunities are becoming harder to find here in America. For the American worker the picture has been even bleaker.

My congressional district has lost 55,000 manufacturing jobs in the past 10 years. Many areas of the country have seen the same type of economic devastation. Over the past 8 years about all my area has gotten has been rust-proof paint. Instead of continuing to dole out unemployment checks and food stamps to unemployed workers—we should be providing incentives for U.S. corporations to create jobs here in America and put our people back to work. Instead of watching our jobs go overseas, let's take action to stem the tide and bring jobs back to America.

The legislation I am introducing today, the Job Relocation Incentives Act, will do just that. The bill would provide a relocation tax credit for U.S.-owned foreign subsidiaries that relocate here in America in a labor surplus area. The credit would be awarded every year for 10 years and would be equal to a percentage of the relocation expenditures for that year based on the following scale:

The first taxable year: 10 percent.

The 2d through 10th taxable years: 5 percent.

In order to qualify for this tax credit, a U.S.-owned plant must meet the following criteria:

First, a U.S.-owned foreign subsidiary plant employing at least 500 people must be relocated in the United States in a labor surplus area—labor surplus area determined by the U.S. Department of Labor.

Second, the new U.S.-operation must create at least 500 new jobs.

Third, the new plant must maintain at least 500 employees for at least 5 years in order to continue receiving the tax credits.

These credits would become available 2 years after the foreign operation has closed down and once the new U.S.-based operation employs at least 500 employees. The U.S.-based operation must produce products which are "substantially the same" as those produced at the foreign operation. This program terminates 5 years after the enactment of the bill. This "sunset clause" will restrict the shifting of American employees from one U.S. plant to another.

Under the bill, penalties would be assessed to any new U.S. operation that shuts down prior to being active for 5 years. In addition, 50 percent of all credits awarded must be paid back to the U.S. Treasury if the U.S.-

based operations violates any provision in the bill. An exclusion does apply for bankruptcy cases.

Mr. Speaker, this legislation will provide a much needed and positive incentive for American corporations to come back home. American companies are faced with intense competition from overseas. The Federal Government should provide a positive economic climate for American firms to operate in here in the United States. Failure to provide positive incentives will only result in the continued exodus of manufacturing jobs to foreign countries.

I urge all Members to closely examine this legislation and lend their support to this important initiative.

EXTENDING THE 1988 EMERGENCY LOAN AND DISASTER ASSISTANCE ACT TO VICTIMS OF HAIL STORMS AND OTHER NATURAL DISASTERS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. GILMAN. Mr. Speaker, I rise in order to urge my colleagues to request the conferees considering the Emergency Loan and Disaster Assistance Act of 1988, H.R. 5015, to agree to retain the House language in this bill, extending the disaster relief to victims of hail storms and other natural disasters.

As my colleagues in the House are aware, many of our Nation's farmers have suffered significant crop losses due to natural phenomenon other than the drought. In my New York district there are onion farmers who, last month for the second consecutive year, were wiped out by a hailstorm. Unless we extend to them the assistance we are about to provide victims of the drought, many of these vegetable growers will be forced out of business.

Accordingly, Mr. Speaker, I urge my colleagues to call upon the drought bill conferees to retain the language passed by this Chamber, making victims of hail and other natural disasters eligible for agricultural disaster payments. I believe that this is the least that the Congress can do for these farmers, upon whom we all depend for so much. Failure to act on their behalf will, I fear, condemn many family farms to financial ruin due to circumstances beyond their control. If we are going to help the victims of the drought, and we should, then it is only equitable that we should also assist the victims of hail and natural disasters.

A TRIBUTE TO DR. UTHMAN RAY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mrs. BENTLEY. Mr. Speaker, I rise in honor and tribute to one of the most inspiring men of our time, a respected pediatrician and humanitarian of Maryland's Second District. Rarely in

one lifetime is it possible to attain the standards of commitment and sincerity that Dr. Ray was able to exhibit in every aspect of his life. His contributions to society, considered by most to be those of a saint, he viewed as nothing more than a fulfillment of the expected norm, and became increasingly involved in the community as his prosperity grew. He surpassed greatness in humanitarian activities as well as in his medical practice, touching everyone he knew with his enthusiasm and vitality.

Uthman Ray was born on December 28, 1930, and spent his childhood in Baltimore and the surrounding area. He received his education in the Baltimore City Public School System and graduated from Douglas Senior High School. After attaining a B.S. from Morgan State University in 1951, Dr. Ray went on to Meharry Medical College, receiving his Ph.D. in 1955. Dr. Ray honorably served as a captain and flight surgeon in the U.S. Air Force Reserve and was discharged in 1959 after 4 years of loyal leadership.

Dr. Ray, in his pursuit of a medical career, had already begun to demonstrate interest in the community as an extremely active member of the Union Baptist Church, which he joined at an early age. In 1957, he married his wonderful wife, Lelia and they began to raise a family which eventually included three sons, Uthman III, Selwyn, and Kevin.

At his medical career flourished, Dr. Ray became involved in 42 prestigious organizations including the Maryland Chapter Board of the American Diabetes Association, the University of Maryland's System Board and Morgan State University President's Advisory Council. He also became the assistant chief of dermatology of Provident Hospital, and served as the school physician of Baltimore City Department of Education.

In his community he is a member of several societies including the N.A.A.C.P., the Monumental City Medical Society, and the Kappa Alpha Psi Fraternity. Dr. Ray also took an avid interest in the environment and formerly served on the board of parks and recreation for Baltimore City.

Dr. Ray has received over 100 awards, most notably he has been named the Physician of the Year by Golden Agers, the United Baptist Church Man of the Year, and the St. Francis Academy Man of the Year. Awards have been presented to him for outstanding service to the city and State by the Governor, mayor, city council, comptroller, and the house of delegates.

Although the organizations he is involved with are impressive and the awards he has been honored by are outstanding, they cannot begin to describe Dr. Ray's true valor. He is indeed a capable and well-respected physician. He is indeed an active community member and church leader. The strength and inspiration which radiates from him surrounds all who know him, and countless awards would not truly repay him for the compassion and concern he has shown to friends and strangers alike.

On the evening of Wednesday, May 4, 1988, Dr. Uthman Ray was honored by Project Survival as an honoree of their Man of the Year. There is no individual more worthy of this grand honor, for he has helped not only those who are close to him but also

those in need regardless of their identity. To him I deliver my most wholehearted respect and contratulations.

KING HUSSEIN TELLS THE PLO TO PUT UP OR SHUT UP

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. BROOMFIELD. Mr. Speaker, King Hussein's recent decision to sever his ties to the West Bank is a clear challenge to the PLO. That organization, which claims to represent the Palestinian people, should either "shape up or ship out." If the PLO truly represents the Palestinians on the West Bank and Gaza, that group must become a serious and mature organization.

Jordan may soon cut its legal and administrative ties to the occupied territories. The PLO will be faced with the reality of providing the necessities of life to the Palestinian people there.

If the PLO cannot manage its new responsibilities in the occupied territories, it should give up its claims to leadership of the Palestinian people. It should let King Hussein take the helm in the search for peace.

Now is the time for the PLO to shed its bomb throwers image. That organization should renounce its covenant to destroy Israel. It is time for the PLO to change its leadership if it is ever to have any credibility. That group must now use the funds it receives from Arab governments to do more for the Palestinian people in the territories. It must cease using those resources for terrorist operations. The PLO should also formally accept the U.N.'s resolutions that establish a framework for peace in the Middle East. Stone-throwing kids will never help the cause of peace in the volatile region.

If the PLO can really "go it alone" and find a settlement with Israel, that organization will win our admiration. If PLO leaders fail, however, that group should step aside and let King Hussein again take the reins of leadership and find a solution to the Arab-Israeli conflict.

EXCELLENCE SEEKS ITS OWN LEVEL AT AC

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. HALL of Texas. Mr. Speaker, recently I read a letter to the editor column which touched me so much that I felt compelled to share it with my colleagues. The column, written by Perry Flippen of the Sherman Democrat, is a letter of recommendation to Austin College for his daughter, Anne.

Never before have I read such a tribute to a daughter from her father. Mr. Flippen's love and admiration for his daughter are reflected in his high words of praise for her accomplishments and ideals.

As I read this letter, I couldn't help but feel that if I had a daughter, I would want to have the relationship with her that Perry Flippin and Anne have achieved.

Thank you for allowing me to share the following letter. If you have a daughter, hopefully this will give you insight into how to achieve a warm relationship with her, and if you don't—then perhaps like me—you will now more greatly understand that special bond between father and daughter.

EXCELLENCE SEEKS ITS OWN LEVEL AT AC

DEAR AUSTIN COLLEGE: My daughter wants to be a Kangaroo, Class of '92. She asked me to write a letter recommending her admittance next fall. It's one of life's happy chores.

Anne chose Austin College because it's an excellent school, she's a serious student and her parents live barely two miles from the campus. Although AC is her choice, higher education is our gift—an inheritance as precious as the legacy from our parents. Besides being family, we're also the best of friends.

For 12 years, Anne has striven to attain education's basic purpose: getting weaned. By that I mean she's matured, not only physically, intellectually and emotionally, but also morally and spiritually. Without maturity there can be no wisdom, insight, judgment or compassion. She understands—and likes—herself. She also wants to understand other human beings as well as great issues of our time.

Anne's grades are good, but they're hardly the measure of her true capabilities. She has cunningly protected herself from much of the academic clutter that many of us spend a lifetime trying to forget. (Do you know the size of the Electoral College? Do you care?) Because of her determination, Anne brings to AC a precious gift—a pure, nimble mind that's unscarred by any educational production line. Hers is a mind ripe for wakening.

Perhaps Anne's greatest asset is her belief that she needn't prove to anyone how extraordinary she is. In 12 years she has never ranted through megaphones at crowded grandstands, never tormented her elders with violin sonatas, never maimed fact or taste by publishing student editorials.

Despite occasional obstacles by professional educators, Anne has emerged reasonably free of neuroses. She drives with confidence, spends with caution and performs a devastating imitation of her father berating TV newscasters. Outside of class, she expertly attends her tropical fish, and patiently schools Balderdash and Twaddle, her pet rats. (If you enroll Anne, the rats go, too.)

Anne is an avid reader. Ever since Sesame Street opened her eyes at age four to the world of letters, she's been consuming huge gulps of Twain, Dostoyevsky, Hugo, Asimov, Seuss, Burke, Poe, Bellow, Tolkien, Lehrer, Breathed, Heinlein, Lorenz, Kipling, Salinger, Andersen, Dumas, Bronte, Dreiser, Sagan, Chaucer, and C.S. Lewis. She also reads J.C. Penney and Sears Roebuck.

From somewhere, she concluded that no 18-year-old kid should tell her how to spend her life. So if you ask her about career objectives, she might reply that she likes the humanities. That's as vague as she can be; like saying one enjoys the western hemisphere. She is exceedingly civil to old people, even when they ask juvenile questions that deserve juvenile answers.

Concerning religion, Anne is fervently indifferent. She never accepted any notion that religion, like varsity football or Army

boot camp, does you no good unless it makes you suffer. About three doses of that and she quietly opted for secular interests, which exalt reason, humor—and sanity.

Austin College's gentle brand of spiritual inquiry appeals to free minds. A chapel elevates a campus so long as its beliefs and practices are free of coercion. In a world of virulent religionists, Austin College seems serenely tolerant.

It brings to mind Anne Morrow Lindbergh's quaint description of Smith College, "where I began to grow up under the scholarship, wit, wisdom, and moral grandeur of President Nielson." Moral grandeur ain't what it was in 1924, but its remnants, I believe, endure on AC's campus.

Anne has made a few A's—roughly as many as she wanted. I used to make a big deal of A's, saying she wouldn't be admitted to a good college if she didn't try harder. After considering my complaints, she remembered that I don't know a logarithm from an arpeggio or a bi-valve mollusk. Anne didn't chide my gaping ignorance or defend her lack of enthusiasm in the War of 1812.

"The way I look at it," she told me, "if I make a big deal out of proving I can get into a good college, I'll either be a physical wreck or a very unpleasant person by the time I get there, and I won't enjoy it."

Anne, at 18, is wise, wry, fit and happy. She hasn't wrecked her health or psyche in the pursuit of A's. Lots of stuff still mystifies her (which keeps her humble). Yet understanding all that senior students know gives her no hint of arrogance.

Austin College has a proud heritage that dates back 141 years to the founding of this state. Can AC attain its summit by denying my daughter admission? I think not.

Consider Anne's future contributions to the human race. She absorbs ideas, rather than publishes them, so she won't kill trees to print newspapers or useless books. She merely tolerates politics, so she won't run for office, raise taxes, incite wars or make speeches. Most admirable, she lacks the brilliance to become an attorney general, an advertising executive, a newspaper columnist or the governor of Arizona. Her lack of scientific know-how guarantees she'll spare the universe a bigger computer or a deadlier nerve gas.

Not accept Anne? AC can't refuse her. In the 21st Century, old grads will gather to brag about all the bad books, high taxes, big lawsuits, slick beer commercials and terrifying inventions they've inflicted upon humanity.

That's when Anne can quietly say, "I guess I'm the only one here who hasn't made the world just a little more unbearable. I could have, but thanks to Austin College's encouragement, I learned that there's a place in life for everybody, even for a few who refuse to do their worst."

Yrs. to serve,

PERRY FLIPPIN,
Sherman, Texas.

THE ACT FOR BETTER CHILD CARE SERVICES

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. MATSUI. Mr. Speaker, as we consider a number of new child care proposals this year,

it is more apparent than ever that the national debate on child care has shifted in two important ways. No longer is the discussion about whether mothers should hold jobs. It is understood that they are and will continue to work outside the home in order to provide their families with some degree of economic security. As to Government action to improve child care, the debate is no longer whether, but how.

But as any working parent will tell you, their child care choices are limited by high cost, limited supply and uneven quality.

We are fortunate to have a bill pending—the Act for Better Child Care Services—that would address these issues and expand the range of child care choices available to our working families. It is reasonable and comprehensive approach to our complex and far-reaching child care crisis.

As a recent nationwide poll demonstrated, public support for the ABC bill is wide and it is deep, cutting across all lines of income and region.

The ABC bill has earned the support of many in the State of California. The California State Legislature recently endorsed the ABC bill.

Additionally, the people of California's Third District have expressed their support for the ABC bill. On March 8, 1988, the city of Sacramento passed the attached resolution in support of H.R. 3660 bill. Mr. Speaker, I ask that this resolution be printed in the RECORD as one measure of the strong support that exists for the ABC bill in my district and in the State:

RESOLUTION NO. 88-187

Whereas, the number of children living in homes where both parents work or living in homes with a single parent who works has increased dramatically over the last decade; and

Whereas, the availability of quality child care is critical to the self-sufficiency and independence of millions of American families, including the growing number of mothers with young children who work out of economic necessity; and

Whereas, high quality child care programs can strengthen our society by providing young children with the foundation on which to learn the basic skills necessary to be productive workers; and

Whereas, the years from birth to age 6 are critical years in the development of a young child; and

Whereas, high quality early childhood development programs provided during the period referred to in the above paragraph are cost effective because such programs can reduce the chances of juvenile delinquency, adolescent pregnancy, and improve the likelihood that children will finish high school and become employed; and

Whereas, the number of quality child care arrangements falls far short of the number required for children in need of child care services; and

Whereas, the rapid growth of participation in the labor force by mothers of children under the age of 1 has resulted in a critical shortage of quality child care arrangements for infants and toddlers; and

Whereas, the lack of available child care services results in many preschool and school-age children being left without adequate supervision for significant parts of the day; and

Whereas, many working parents are unable to afford adequate child care services, and do not yet receive adequate financial assistance for such services from employers or public sources; and

Whereas, a large number of parents are not able to work or to seek the training or education they need to become self-sufficient because of the lack of affordable child care; and

Whereas, making adequate child care services available for parents who are employed, seeking employment, or seeking to develop employment skills promotes and strengthens the well-being of families and the national economy; and

Whereas, the exceptionally low salaries paid to child care workers contributes to an inordinately high rate of staff turnover in the child care field, makes it difficult to retain qualified staff, and adversely affects the quality of child care; and

Whereas, several factors result in the shortage of quality child care options for children and parents including:

A. the inability of parents to pay for child care;

B. the lack of up-to-date information on child care services;

C. the lack of training opportunities for staff in child care programs;

D. the high rate of staff turnover in child care facilities; and

E. the wide differences among the States in child care licensing and enforcement policies; and

Whereas, improved coordination of child care services will help to promote the most efficient use of child care resources; and

Whereas, Sacramento has been a leader among cities by helping to create the Child Care Coalition, by creating the Mayor's Child Care Task Force, by hiring a City Child Care Coordinator, and by working with the public and private sectors to increase the availability, affordability, and accessibility of quality child care in Sacramento; and

Whereas, even with much effort, Sacramento still has licensed child care space for only 60% of the Sacramento children needing care; now, therefore, be it

Resolved by the Mayor and members of the Council of the City of Sacramento, That we strongly support the Act for Better Child Care Services Bill of 1987 to assist and support the State to offer more accessible, available, and affordable quality child care.

ACT FOR BETTER CHILD CARE SERVICES, H.R. 3660

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Ms. PELOSI. Mr. Speaker, the face of America's work force has changed dramatically. Today, fewer than one-fifth of all American households fit the mold where the father works outside the home and the mother works inside the home caring for the children. Some of these women work as a matter of choice. Most work because they must house and feed their families.

Yet, these women will tell you that finding affordable, quality child care ranges from difficult to impossible.

The lack of adequate, affordable child care holds serious consequences for us all. Par-

ents, low-income parents, are faced with the painful choice of placing their children in potentially harmful situations or foregoing work and training opportunities. Employers and businesses suffer as employees become increasingly distracted or worried or are absent because of child care problems; and, of course, no one suffers more than the young children who are denied safe and quality care.

It's time that the Federal Government did more to help our families help themselves.

My constituents in California's Fifth District have demonstrated strong support for the act for better child care services. They support its thoughtful, comprehensive approach to solving our child care crisis.

Mr. Speaker, I ask that the attached written transcript of an editorial by KPIX television in San Francisco be printed in the RECORD. It most adequately describes the sentiment of my constituents for the Act for Better Child Care.

EDITORIAL

(By Carolyn Wean, Vice President and General Manager)

In a recent KPIX survey we learned that childcare is a critical issue for most parents with young children. That's why we support both local and national efforts to make childcare a political priority in 1988.

It's a fact that 63 percent of mothers with children under 18 are in the labor force. Over half of mothers with children under one year are working. And we know too that on the average, a working parent will miss one week of work each year because of childcare problems.

Whether we like it or not, traditional roles have changed. Mothers who used to stay home and care for young children now have to work; the two paycheck family is here to stay.

Both Democrats and Republicans are accepting this as a fact of life. Senate Bill 1885 is a bi-partisan plan to help working parents. Over 100 national organizations support it. What it will do is this: Two and a half billion dollars will be allocated to the fifty states to make childcare available to parents and to train childcare workers. California will be eligible for \$225 million a year for five years. Low income parents will have the first priority, but middle income families will also be eligible. If the bill passes, parents who work will then have peace of mind that their children are safe and in centers that meet federal health and safety requirements. And this will ultimately benefit all of us. This plan is called the A-B-C Bill—Act For Better Child Care. It's the most important bill of its kind ever to be drafted.

It's in committee now, and it needs our support. Write to Senators Cranston and Wilson and to your congressmen. Tell them the time has come to get realistic about childcare in America.

For Kid's Sake and for our sake, let's get this bill passed.

THE 76TH BIRTHDAY OF RAOUL WALLENBERG

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. LANTOS. Mr. Speaker, today—August 4th—marks the 76th birthday of the outstand-

ing Swedish humanitarian and Holocaust hero, Raoul Wallenberg. It is tragic and ironic that this great man will again celebrate his birthday in a Soviet prison. Of his 76 years, Raoul Wallenberg has spent the last 43—well over half of his life—in Soviet prisons.

Wallenberg voluntarily went out of his way to undertake a dangerous assignment at the request of the United States. He left the comfort and affluence and safety of Stockholm to go to Budapest in the last, ugly days of World War II. Daily he put his life on the line for people he did not know, because he believed in the right of every human being to live. Through his efforts as many as 100,000 Hungarians were saved from Nazi extermination camps.

Over the years my colleagues, my wife Annette, and I have fought for his release. We have pleaded with Soviet officials in person and in writing to free this great hero. In 1981, the U.S. Congress adopted legislation proclaiming Raoul Wallenberg an honorary American citizen, the second person in history after Sir Winston Churchill to be so honored. Just as Wallenberg gave Jews a Swedish shutz pass to make them Swedish citizens and rescue them from Nazi butchers, we hoped that we could deliver him from the Soviet Gulag with American citizenship. Unfortunately, we have not yet succeeded—but we will never stop our fight for his life.

Though he has been viciously and irresponsibly denied his freedom for these many years, he has not been forgotten. His incredible story is known around the globe and it is getting better known with each passing year. Wallenberg Committees have been and are being established in communities around the world to keep alive the spirit that he exemplified.

Raoul Wallenberg personifies the highest ideal in concern for our fellow man. His deeds during the dark night of the Holocaust are a candle of hope in the midst of unbelievable Nazi horrors.

Mr. Speaker, on this 76th birthday of Raoul Wallenberg, I invite my colleagues to join me in paying tribute and respect to this great man.

NATIONAL RECOGNITION OF QUALITY OF LIFE IN BERGEN COUNTY

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. TORRICELLI. Mr. Speaker, this year a Money magazine survey established Bergen County as 1 of the 10 best areas to live in America. Of course I believe that Bergen County is the very finest community in our Nation and it pleases me that a prominent national magazine recognizes the area's high quality of life.

Bergen County has much of which to be proud. It contains the beauty of the Palisades. The Meadowlands has made a great comeback. Our sports complex is a major success. Our industry is flourishing. We have become a major setting for corporate headquarters and

high technology firms. The unemployment rate currently 2 percent, is substantially below national and statewide levels.

Culturally, our people have brought great diversity to the communities making up the area. Every town is rich with community clubs, ethnic associations, youth leagues, and community theaters.

This quality of life is a function of Bergen County's culture, its schools, recreational facilities, businesses, overall economic climate, restaurants, and local theaters. But all of these factors point back to one overriding force: The people of Bergen County. For it is the people of Bergen County who make our schools, parks, businesses, and economy the best in the Nation. It is the people of Bergen County who have made the area one of the very best in which to live and raise a family. So, I am very proud to represent these great people in this Congress and to make my contribution to the quality of life in Bergen County.

Residents of Bergen County have always known they live in one of the best areas in America. Now we are pleased to see the Money magazine and the rest of America recognizes the outstanding quality of life in Bergen County as well.

THE EASTERN HIGH SCHOOL CHOIR OF WASHINGTON, DC— INTERNATIONAL WINNERS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. FAUNTROY. Mr. Speaker, today I rise in order to salute and congratulate the members of the Eastern High School Choir, who have recently returned to the District of Columbia from competing in one of the world's most prestigious and demanding international youth music festivals. These talented young people under the musical direction of Mrs. Joyce Garrett and accompanied by Mr. Shelton Becton, won second place among mixed school choruses at the Vienna International Youth and Music Festival.

Many of my colleagues were able to hear the wonderful music of these high school students at the annual Congressional Foster Children's Christmas Party in December 1987. The entire Metropolitan Washington community was also given an opportunity to be serenaded by these beautiful voices when they performed in concert at the John F. Kennedy Center for the Performing Arts on May 22, 1988. The congratulations and good wishes bestowed on them by the Members of Congress and the citizens of the Metropolitan Washington area served them well as they sang music in English, German, and Latin before an international audience.

Nationally known as a dynamic gospel singing choir, the Eastern High School Choir has now added classical sacred music, classical secular music, spirituals, jazz, and blues to their repertoire. During the school year, the choir typically performs between 10 and 30 concerts in the city and in the neighboring Eastern States. They have been heard on local radio and have been featured on both

local and national television. The recipient of numerous honors and awards, the 54-member choir is living out its motto, "If you can dream it, you can achieve it."

I've included an article by Mr. William Raspberry from the July 25, 1988, issue of the Washington Post because it tells of the obstacles, extraordinary high standards and competition the Eastern High School Choir confronted head on, with a winning attitude. This is a story of leadership that inspires individual development, while at the same time providing successful training in skills, self-discipline, and teamwork. It is also a commentary on the vast resources of untapped potential in our midst.

The article follows:

[From the Washington Post, July 25, 1988]

TRUMPET AT EASTERN HIGH

(By William Raspberry)

Listen to the Eastern High School Choir, whose 54 members return to Washington this afternoon after a triumphant European tour, and the impression is of talented, sophisticated, disciplined, near-professional musicians.

Listen to the adults who have worked with this outstanding group, and the impression is of youngsters who have learned so much more than how to make fabulous music. Joyce Garrett, their director, has taught them lessons in life that will stand them in good stead for years to come.

She has, quite obviously, taught them to sing. You don't win second place at Vienna's International Youth and Music Festival—the Olympics of youth music—unless you sing unusually well. She has taught them to appreciate a wide variety of music, including classical compositions in German and Latin, without diminishing their appreciation for the gospel that was their first love. (The choir had already won back-to-back U.S. gospel music competitions.)

That new sophistication has permanently expanded their horizons beyond their inner-city neighborhood, hard by RFK Stadium, D.C. General Hospital and the D.C. Jail.

But the other lessons, while less obvious, may be, in the long term, more important.

Even the task of raising the \$160,000 that made the trip possible was chock full of lessons, says Maudine Cooper, a city official who is chairman of Friends of the Eastern High School Choir. "A lot of them came in with the attitude that 'If y'all raise the money, I'll go,'" Cooper said. "Joyce Garrett beautifully informed them that they shouldn't expect a free lunch, that they each had to raise \$500 on their own. Virtually all of them did. It was important for them to understand that, no matter how talented you are, nothing is handed you on a silver platter. You have to work."

Cooper said some of the youngsters had trouble hanging on to their button and balloon money even as they were raising it. "In many cases, we're talking about very poor families. You get a dime, and Mom may need it for the light bill."

Perhaps the most impressive changes Garrett managed in these youngsters involved their attitudes and behavior. "They were a wonderful bunch of kids from the start," said Cooper, director of both the city's Human Rights Commission and its Minority Business Opportunity Commission. "Many of them were strong-willed survivalists. But many of them were in need of someone to direct that strength, and they don't always get that at home. Several got there on personal gut because there was nobody at home to encourage them."

They learned the value and the necessity of hard work, members of the committee said. They learned the importance of getting to rehearsals on time, of developing a team spirit, of setting priorities, of sticking to a four-hour-a-day practice schedule when there were other things they might have been doing.

A couple of students didn't make the trip. They either quit the choir or found themselves unable to commit to what was required of them. There are lessons in that, too. Youngsters tend to believe that if they are talented enough, sympathetic adults will overlook their lack of discipline, Joyce Garrett taught them otherwise.

They learned that even among the talented, there are differences in ability, that not everybody can be a soloist. But they also learned that the stars can't shine without the disciplined support of the group.

"The interesting thing is that they never stopped being kids," Cooper said. "If you had been backstage at the Kennedy Center [for their May 22 fund-raiser] you would have seen them fussing, giggling, acting silly just like any other kids. But when they took the stage, they were transformed into disciplined 'professionals.' Even their appearance seemed to change. You could see Joyce's teaching taking hold."

Joyce Garrett was not the only teacher these brilliant youngsters had. One of the key lessons might have come from Cooper herself, who will be on hand to meet them when they return today (4:30 p.m. at Dulles on Pan Am's Flight 61). Cooper didn't make the trip to Europe, although the cost of the trip was oversubscribed.

"A lot of people who contributed are minority vendors who do business with the government, and I didn't want it to appear that I was personally benefiting from their contributions," she explained. "There wouldn't have been anything illegal about my going, but it would have been inappropriate in my judgment."

There is a lesson, not just for Eastern's magnificent choir but for a lot of adults as well.

The names of the members of the Eastern High School Choir appear below: Sharon Belinger, Terry Bookhart, Lawanda Cook, Cameisha Cooper, Lisa Edwards, Fredericka Gordon, Kimberly Grayton, Keisha Harrison, Donna King, Tanya Lee, Tracey McKinney, Meshelle McNair, Leslie Minor, Crystal Ransom, Twanda Rhinehart, Tracy Robinson, Tamara Smith, Raesharn Spain, Sakinah Tate, Sharee Thompson, Lynette Bandy, Ayesha Brock, Lucretia Brown, Vanessa Brown, Yolanda Bryant, Fitimiah Davis, Donna Duncan, Yolanda Eiland, Cheryl Green, Cynthia Jones, Tania Lumpkin, Cheryl McCullers, Quantrice Parish, Lavern Pickard, Rozetta Robinson, Marvena Rorls, Tijuana Bradford, Dion Brown, Gregory Crawley, Jonathan Elliott, Angela James, Edward Love, Luis Lovell, Bryan Nelson, Kevin Nicholson, Rory Stona, Darryl Tate, Aaron Blyther, John Clarke, Allen Coaxum, William Day, Thaddeus Ellis, Hatari Farmer, Albert Graves, Jude Harris, Aaron Lomax, and Michael Williams.

Mr. Speaker, I am pleased and honored to have these young people as ambassadors from the Nation's Capital and I invite my colleagues to join me in saluting them for the honor that they have brought to their high school, Washington, DC, and to the United States of America.

THE 100TH ANNIVERSARY OF INCORPORATION OF LYONS, IL

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. LIPINSKI. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues the celebration to the 100th anniversary of the incorporation of the oldest suburb of Chicago, the village of Lyons, IL. The anniversary celebration will be held between August 17, and August 19.

The history of Lyons encompasses a rather fascinating examination of progress within a community, offering a fine example of the growth and development of a truly American settlement. In tracing the years of Lyons' existence, one notes some strongly appealing and desirable aspects of lifestyle in the village which attract people. This explains, the increase in population, accompanied by tremendous maturation and progress.

Hundreds of years ago the accessible water transit system drew forth various Indian tribes for potential settlement. There they took advantage of Mud Lake which connected the Chicago and Des Plaines Rivers. Aside from transportation conveniences, these natives enjoyed use of the fertile soil for their crops and stalked the herds of buffalo, elk, and black bear.

Subsequent to raving reports about the Chicago portage by the French explorers Louis Joliet and Father Marquette, swarms of tradesmen and fur trappers made their homes in the region. This justifies the origin of the village name of Lyons, derived from Lyons, France.

Years later, white European pioneers, primarily German and Czechoslovakian, turned Lyons into an important connection between Chicago and Naperville. The creation of such a central location inspired Lyons businessmen to construct inns, taverns, and other recreational establishments. Before the Lyons' nightlife and reputation as the place to go for "fun" could get out of hand, a number of decent citizens moved for passage of restrictive and regulating laws. However, to do this Lyons had to be incorporated. So, in 1888 Lyons became an official town and is identified today as being the oldest Chicago suburb.

Since its incorporation, Lyons has impressively grown into a strongly developed business community. Today there are approximately 300 retail, wholesale, industrial, and manufacturing offices of all sizes.

I'm sure my fellow Members of Congress will join in celebrating the 100th anniversary of the incorporation of the village of Lyons, the oldest suburb in Chicago.

EXTENSIONS OF REMARKS

THE WORLD LOOKS FORWARD TO THE 1988 SUMMER OLYMPICS IN SEOUL, SOUTH KOREA

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. HORTON. Mr. Speaker, more than 160 nations, which differ in their economic and political organization, and in their size, population, geography and wealth, will gather this fall for a time-honored and most prestigious international event. These nations will put aside their differences, and for several days present their finest athletes in the great quest for the bronze, the silver and the gold.

The event is the 1988 Summer Olympics. The site is Seoul, the Republic of Korea (South Korea).

Mr. Speaker, I am very proud today to introduce a resolution commending the people of the Republic of Korea for their outstanding efforts to ensure a successful Olympiad. They are justly proud of their extensive preparations, which include construction of athletic facilities that are state-of-the-art. They are ready to welcome the more than 12,000 athletes and hundreds of thousands of visitors to their modern accommodations, to their cuisine and to their hospitality.

More importantly, the people of the Republic of Korea welcome the opportunity to acquaint us and visitors from all participating nations to their culture and their country. They are and have every right to be proud.

South Korea is a rising star in an increasingly competitive international economy. The South Koreans want to show and share with us their success.

South Korea is friend and trusted ally of the United States. The South Koreans want to show and share with us the climate of democracy they continue to nurture and develop.

South Korea is a country whose economy is vibrant and whose cultural heritage is rich. The South Koreans want to show and share with the world their accomplishments.

South Korea is the site of the 1988 Summer Olympics. And the South Koreans, proud and strong, want to show and share with us their enthusiasm, their hospitality and their dedication to making this a successful and competitive event.

Finally, Mr. Speaker, I want to underscore the point that this is the first Olympics in 12 years in which the superpowers will gather to compete. South Korea is the country where this reapproachment will occur. The world looks forward to the 1988 Summer Olympics, and to the opportunity to gain an understanding of the people and culture of South Korea.

To newly elected Republic of Korea President Roh Tae Woo and the National Assembly, and to the people of the Republic of Korea, I and Americans everywhere commend you for your work and for your friendship, a friendship you have shared with the United States for more than 100 years.

August 4, 1988

PERSONAL EXPLANATION

HON. DAN MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. MICA. Mr. Speaker, on August 3, my colleagues voted on two issues that are of great concern to me. While I was unable to be present for these votes, I requested to be paired on the votes so that my views would be on record. Since the pairing was not possible, I would like to take this opportunity to express my views.

Concerning the impeachment of Judge Alcee L. Hastings. I share the position taken by my colleagues in their virtually unanimous decision that this representative of our judicial branch of Government should be removed from office. The Judiciary Committee found that Judge Hastings not only participated in corrupt practices, he knowingly undermined the entire judicial system and the people it represents. My vote is for the impeachment of Judge Alcee L. Hastings.

I would have voted in favor of the Stewart B. McKinney homeless assistance reauthorization. Last year, the House passed this historic legislation. Review has shown that it has aided in the fight against homelessness. I believe that we must continue to fund these programs if we are to work toward the goal of providing services to the homeless.

THE EMPLOYMENT SERVICE SHOULD BE ADEQUATELY FUNDED

HON. WAYNE DOWDY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. DOWDY of Mississippi. Mr. Speaker, I am very pleased that the House, on July 27, 1988, approved H.R. 5026, the dire emergency supplemental appropriations bill, 1988, and included in that measure \$50 million for State employment service operations.

Although the Veterans' Affairs Committee does not have legislative jurisdiction over the Employment Service [ES], we are interested in our national labor exchange because it is the delivery system for most veterans' employment and job training programs. As chairman of the Subcommittee on Education, Training and Employment of the Veterans' Affairs Committee, I know that a weakened, underfunded Employment Service will not provide the employment assistance our Nation's veterans need and deserve.

The dramatic reduction in Employment Service funding since 1981 has taken a toll on services to veterans. For example, during the program year ending June 30, 1987, nearly half of the 2.5 million veterans who registered for employment services nationwide received no reportable services. In my home State of Mississippi, during the same timeframe, although 33,599 veterans registered for services, only 14,188 received some services.

This deplorable situation is a direct result of the inadequate funding provided for the Employment Service in recent years. Nationwide, staffing has dropped from 30,000 to the current level of approximately 17,000. In 1981, there were 2,400 local offices nationwide. Today, there are only 1,800, and many of these offices are severely understaffed.

In Mississippi, staffing levels have plummeted from 408.4 employment service positions in 1981 to 220 positions today. The Mississippi Employment Security Commission has determined that, unless additional funds are provided, 13 job service offices and more than 15 staff positions will be eliminated. State officials have told me it is impossible to provide adequate service to the citizens of Mississippi with the current funding levels.

Because of staffing cutbacks, services which made our national labor exchange system unique and productive are no longer available in many areas of the country. As a result of the significant reduction in counseling staff, the number of individuals provided employment counseling has decreased by 50 percent. This service is now considered a luxury rather than an effective tool for guiding individuals as they make critical decisions regarding their career choices. Employer assistance programs, which provided direct, personalized services to employers, have been largely eliminated due to insufficient ES staffing.

Our subcommittee recently guided to enactment substantial reforms in the veterans' employment and training programs administered by the Department of Labor. These reforms, which are meant to strengthen and clarify employment services for veterans, will be worthless without additional funds for the Employment Service. We cannot allow this program to be further diminished nor its services further reduced. Assisting our citizens, particularly those who have served in our defense, who want to be productive and who want to work, is the very core of any Government's responsibilities.

I want to again commend my colleague and good friend from Mississippi, JAMIE WHITTEN, for including additional ES funding in H.R. 5026, as passed by the House. Chairman WHITTEN is a strong advocate of our national labor exchange and a great friend to veterans.

I would also like to take this opportunity to express my appreciation for the outstanding job that Ms. Linda Ross Aldy, director of the Mississippi Employment Security Commission, and Mr. Robert Morgan of the Employment Service in Mississippi have done under very challenging conditions. Despite severe budget restrictions, they have worked diligently to try to maintain quality services for the people of our State.

PERSONAL EXPLANATION

HON. JACK DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. DAVIS of Illinois. Mr. Speaker, further complications from a poisonous spider bite caused me to remain hospitalized on Tuesday, August 2, 1988, and I was unable to be on the House floor during the recording of two votes.

Had I been able to be present on the floor, I would have voted "yea" on the passage of S. 892 in rollcall 250. Also, I would have voted "yea" on the passage of H.R. 1414, to amend the Price-Anderson provisions of the Atomic Energy Act of 1954 in rollcall 251.

My illness of recent day, Mr. Speaker, reminded me of the miracle of modern medicine and the effective and swift care furnished by an House Navy doctor as well as my doctor, Bill Garvin D.D. of Crete, IL.

I am also grateful to the Olympia Fields Osteopathic Medical Center for their care during my 5-day hospital stay.

TRIBUTE TO LEROY BENNETT

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. McEWEN. Mr. Speaker, we often hear of certain celebrities who perform volunteer work with community organizations. However, more often than not, we do not hear of the selfless efforts of average Americans who give of their time and energy to the senior citizen centers and other community groups across the country. But today, I want to bring to the attention of my colleagues in the Congress, the noteworthy efforts of Leroy Bennett of Washington Court House, Ohio.

Because of his willingness to give of his time and energy to the people of his community, Leroy Bennett has been nominated by the Fayette County Commission on Aging for the 1988 Outstanding Senior Citizen Award.

Leroy has worked diligently for the senior citizens center and its patrons. He has served on the board of trustees and served as vice president for 2 years. Additionally, Leroy has served as chairman of the activities committee for several years. He has also recruited scores of volunteers for numerous projects. Moreover, he has always provided the essential organizational support to ensure the success of the center's efforts and local activities.

Leroy has earned the title of "Kernel Popcorn" from his friends for the many years that he has served as chairman of the Popcorn project. In addition, he is also known as the goodwill ambassador at the local Kroger store in Washington Court House, Ohio.

Mr. Speaker, I am sure that Leroy's wife, Ruth, and his children, Larry, and twin daughters, Penny and Patsy, and all of his many friends are proud of Leroy's achievements. It is indeed a privilege for me to extend my heartfelt best wishes to Leroy and his family for this special recognition. It is my sincere hope that he will continue to share his good spirits with the people of Fayette County, and we wish him every success in his endeavors.

CLEAN WATER LEGISLATION

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. COLEMAN of Texas. Mr. Speaker, I rise today to introduce legislation to authorize a series of demonstration projects to bring relief to residents of "colonias," or unincorporated subdivisions where residents live without running water or sewage service along the U.S. southern border.

According to estimates by the Congressional Research Service, there are hundreds of thousands of people—predominantly Mexican American—living in deplorable conditions in the States of Texas, New Mexico, Arizona, and California. In fact, in my congressional district alone, 28,000 people live in colonia communities without running water and 53,000 without sewage facilities.

Colonia residents drink, cook, and bathe without safe water, and as a result experience high rates of diseases that have been eradicated in other parts of the country. A study of a community in my district, for example, found that 67 percent of the residents in the area have been infected with hepatitis A, commonly caused by poor sanitation, contaminated food and water. Furthermore, since lots are typically small and residents are not aware of the consequences of doing this, many residents do not adequately separate their septic systems from their wells and end up contaminating their ground water with their own sewage.

The economic conditions of the colonias make the responses to problems that would be resolved traditionally by State and local governments more difficult to devise and implement. While water supply problems are normally considered local matters, the problems of the colonias extend beyond individual counties, and there is a Federal role to be played because the situation involves four States and two countries and presents a serious public health threat to border communities on both sides.

The bill that I am introducing today along with my colleagues from Texas would provide construction grants under the Environmental Protection Agency for improving drinking water supply and sewer systems in colonias. Specifically, \$5.6 million would be authorized for demonstration projects in Cameron County, Hidalgo County, Maverick County, and El Paso County, TX.

Additionally, a \$10 million revolving loan fund would be established to have indoor plumbing facilities installed and to have individual homes connected to sewer facilities and drinking water supplies, with EPA promulgating regulations for the terms of these loans. While this bill would not provide a comprehensive solution, the approach proposed by this legislation is a firm first step needed to begin to resolve the appalling conditions that exist along our country's southern border.

The conditions in the colonias have existed since the 1960's when developments were established outside the city limits as developers sold lots at low monthly payments to poor in-

dividuals eager to own their home. Unfortunately, many of these people bought land believing that adequate water and sewage systems would eventually be furnished, which did not occur.

The U.S. border area, in particular the colonias, has been neglected for many years, and it is time for the Federal Government to address the depressed conditions that exist in the region. I urge my colleagues to support this legislation.

**DAVID M. DEL VECCHIO,
OUTSTANDING PUBLIC SERVANT**

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. FLORIO. Mr. Speaker, it is with great pleasure that I bring to the attention of my colleagues a dedicated and effective public servant, Mr. David M. Del Vecchio, who was recently honored by the Essex County Board of Chosen Freeholders.

Mr. Del Vecchio, a resident of Montclair, NJ, has served the Essex County Improvement Authority [ECIA] for over 2 years in a number of key staff positions, including his service as executive director. During his tenure with the improvement authority, Dave has worked with the ECIA Airport Task Force to develop the authority's business plan, administered the ECIA's Industrial Development Bond Program, financing over \$8 million in projects, administered the Pooled Government Loan Program, which has issued below market loans totaling over \$43 million for needed capital projects, and developed the ECIA's Multi-Family Rental Housing Program, creating nearly 100 units of senior citizen housing.

Under Dave's leadership, the authority has served the residents of Essex County well, and has produced many tangible results in terms of jobs created and homes built, as well as the implementation of other economic and financial plans. I applaud Dave's hard work and dedication to the residents of Essex County. We all owe Mr. Del Vecchio a debt of gratitude for his unyielding efforts in bettering his community and placing a premium on sound economic planning.

SECRETARY HERRINGTON RECOMMENDS BUILDING TWO NUCLEAR REACTORS

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. LUJAN. Mr. Speaker, Secretary of Energy John Herrington recommended yesterday that our Government build two nuclear reactors on an "urgent schedule" to supply material for atomic weapons.

The Secretary's recommendation is that a heavy-water nuclear reactor be built at the Department's Savannah River plant near Aiken, SC, and that a gas-cooled reactor be built at the Idaho National Engineering Laboratory near Idaho Falls.

The recommendation is a momentous decision that could have a far-reaching beneficial impact on our Nation and the world for many years to come.

This gas-cooled reactor is inherently safe. It will replace our aging weapons-production reactors. This safe gas-cooled reactor technology has the potential to provide our future electric power needs in the United States and, in fact, throughout the world. It is a technology that we will export throughout the world.

There is some concern in the Congress that we should forego the two-reactor strategy, because of budgetary restraints and the high costs involved. While these concerns are understandable, there is a more persuasive argument that we're already too late in advancing this new technology which has such great potential.

It is my sincere hope, Mr. Speaker, that we will support Secretary Herrington's recommendation and that the debate will not get bogged down in election-year politics.

As a member of the Committee on Space, Science and Technology, I have been exposed to arguments pro and con, on both of these nuclear reactors for several years. I have been convinced for quite sometime that we must pursue the two-reactor strategy.

The leadtime that is needed to get these two reactors on line is such that we can't delay any longer. The future of our nuclear weapons program and the need for a reliable safe energy for the future make it imperative that we build both of these reactors.

I applaud Secretary Herrington for his decision on the two-reactor strategy, and I hope that Congress will make an early decision to support it.

**ROMANIAN VILLAGE
DESTRUCTION**

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. HOYER. Mr. Speaker, the Members of this body have watched with sorrow and horror as conditions have worsened for the population of Romania. Extreme shortages of food and fuel testify not only to an economic catastrophe, but also to the Romanian regime's unwillingness to offer or even accept aid to its people.

In addition to food and fuel, a third necessity is in painfully short supply: human dignity. This dignity lies at the heart of the Helsinki Final Act, which stipulates that governments will encourage their citizens to exercise their human rights fully. And cultural rights are among the fundamental freedoms to which the Romanian Government has committed itself in the Helsinki Final Act and the Universal Declaration of Human Rights.

Romanian President Nicolae Ceausescu's plan is to consolidate the populations of some 7,000 to 8,000 villages into agro-industrial complexes. The economic benefits of such a drastic transformation of the rural landscape are doubtful, at best. In human terms, they could be disastrous.

The result would be to rip apart communities, and to tear people away from their past,

obliterating the homes and churches and graveyards that carry their history. The Romanians, Hungarians, and Germans who have inhabited many of these villages for centuries would lose a vital bond with their cultural heritages. All of the area's inhabitants would have to live without the small garden plots that have sustained them through the hardest times.

This is a callous plan, and a violent one. It must be stopped before Romania loses another rich cultural, and human, treasure.

**HONORING CAREER YOUTH
DEVELOPMENT OF MILWAUKEE**

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. MOODY. Mr. Speaker, I rise to praise the work of an outstanding organization in Milwaukee, WI, Career Youth Development, and its dynamic leaders, Mrs. Jeannetta Robinson and Mrs. Claretta Simpson.

We often hear talk about young people as our Nation's most precious resource. We all know that more needs to be done to lead our children toward the path of opportunity.

That is why I ask Congress to pay tribute to this organization, an organization that is actually doing something for our children, an organization, that is committed to helping inner city youths obtain a better chance and a better life.

On August 12 the Career Youth Development organization—called CYD—will celebrate 18 years of serving youth and their families in the inner city of Milwaukee. CYD has been helping juvenile delinquents regain direction and hope in life. It has helped to change the lives of many hundreds of delinquents. Almost 9 out of 12 delinquents helped by CYD turn away from crime. Few organizations have made a more profound difference in our community. For its great success CYD has been recognized across the Nation.

Only truly committed people will take on the formidable task of helping young people who have gone astray. The founders of CYD, Mrs. Robinson and Mrs. Simpson, are two such rare people.

Too often our Nation forgets about inner-city youths, leaving them to a future of callous indifference. But not Jeannetta Robinson and Claretta Simpson who are unshakeable in their belief that young people need guidance and support, not neglect. It is a privilege to know these two women, and to honor them for dedicating their lives to the neglected and underprivileged youth in our community.

Mrs. Robinson, Mrs. Simpson, and the CYD staff have succeeded against all odds. Every day we hear about young people involved in street gangs, crimes, and drugs. We hear about children giving birth to children, about the hopelessness and despair among young people in our cities. We know there's a better way.

CYD has found that better way. Working with community agencies, it has developed various services to serve young people and their families.

CYD runs treatment and support centers for young people addicted to drugs and alcohol. It provides education and training programs to teach young people the skills they need to find jobs. Real jobs. It offers an employment service for its clients. It counsels troubled families hit hard by poverty, by child abuse, or by drug addiction. It works with young people to prevent teen pregnancies, to keep high school students from dropping out, and to reduce the allure of street gangs. It also brings toys to inner-city children and provides emergency food and clothing for poor families.

In short, CYD realizes that to be effective in the inner city, you must address and anticipate the real life problems of urban life. And you must teach young people the meaning of self-respect. CYD has done that. And done it well.

In its 18th anniversary celebration, CYD rededicates its theme of "love in action." There is no more appropriate description for the work of such a dedicated group of people. I think I express the views of my colleagues in Congress in expressing appreciation and congratulations to Jeannette Robinson, Claretta Simpson, and the whole CYD staff for their vital and successful efforts.

NATIONAL CLEANING PROFESSIONALS RECOGNITION DAY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. GOODLING. Mr. Speaker, many of us marvel at the beauty of our world as we walk through the square of a quiet little town in our district or admire the majestic architecture of our Nation's Capital City. The beauty of these places is much more appreciable when it is reflective of a larger, clean and fresh environment. Even a shopping trip to our local mall is more enjoyable when the surroundings are clean and free of filth. Also, in our society, anything less than a clean and sanitary health facility is simply not acceptable. The desirability of a clean and healthy environment is a priority in our society that sometimes overshadows the human factor which makes it a possibility.

Much of the time, many of us do not even consider or acknowledge all of the hard work and effort that has been expended to help make our environment a clean and healthy one. The resolution which I am introducing would provide public recognition and appreciation for the dedication and contribution of the cleaning professionals for all of us and our communities.

Because members of the cleaning profession rarely receive the recognition that they deserve, it is appropriate that they be recognized with such a resolution. Many times, these professionals work long hours into the night so that we may enjoy a clean environment in which to live and work during the day. These professionals, many times, are not equipped with the most efficient or adequate resources to perform their tasks and yet continue to do so. We, the general public, are the beneficiaries of their efforts.

Because members of America's cleaning profession do so much to make our day to day living more pleasant, it is not too much for us to at least recognize them and thank them for their efforts. I urge my colleagues to join me in cosponsoring a resolution I introduced today designating April 2, 1989, as National Cleaning Professionals Recognition Day.

CONGRESSIONAL PAY ACCOUNTABILITY ACT OF 1988

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. MACK. Mr. Speaker, today I am introducing the Congressional Pay Accountability Act of 1988. I am proud to be able to jointly introduce this legislation as a companion bill to one being introduced today in the other body by Senator LARRY PRESSLER of South Dakota.

The Congressional Pay Act of 1988 is simple and direct: It would require Congress to vote on any increase in its own salary. This legislation would prohibit the "backdoor" pay increases Congress has received in the past.

Under current law, Congress can use a backdoor system of receiving a pay raise without a direct rollcall vote. We know this to be true because that's exactly how the Members got their 16-percent pay raise last year. I believe it is wrong for a sitting Congress to approve in any way a pay raise for itself without even having the political courage to vote publicly to do it.

The bill introduced by Senator PRESSLER and myself would require Congress to approve pay increases through rollcall votes. If Congress really wants more money, get it the old-fashioned way—earn it. Since the Members earn their salaries by casting ballots, it's not unreasonable to ask them to vote on pay increases. This legislation changes the process for approving congressional pay raises in such a way that the increases could only come after a recorded vote.

Mr. Speaker, the bill I am introducing today is similar to the Pay Raise Accountability Act—H.R. 617—that I introduced on January 20, 1987. Unfortunately, that bill has been left to languish in the Committee on Post Office and Civil Service.

But I am more optimistic about today's efforts because this is a joint House-Senate undertaking. I commend the excellent work Senator PRESSLER has done to raise awareness of the backdoor pay increases for Members of Congress.

There is a compelling reason that this legislation should be passed as quickly as possible by Congress. The President's Quadrennial Commission on Executive, Legislative, and Judicial Salaries is scheduled to convene October 1 and make its recommendations to the President in December. The President is scheduled to forward a proposal to the 101st Congress in January. If both Houses of Congress do not disapprove the President's proposal within 30 days, the proposed increases go into effect.

This sets the stage for exactly the same sort of situation we faced in January of 1987

at the beginning of the 100th Congress. The President proposed a pay raise for Members of Congress which the Senate voted down. Because of parliamentary maneuvering, the House vote disapproving the pay raise occurred one day too late and the pay raise went into effect. We must see to it that this disgraceful display does not take place again.

Besides recommendations from the Quadrennial Commission, Congress can also receive pay raises through Government-wide cost-of-living adjustments [COLA's] which usually occur on January 1. This legislation would require a rollcall vote for these pay raises as well. We in the Congress must lead by example and we should start by passing the Congressional Pay Act of 1988. I urge all of my colleagues to lend their support to this legislation before Congress receives recommendations from the President's Commission next January.

REPEAL OFF-HIGHWAY USER DIESEL FUEL TAX

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. TALLON. Mr. Speaker, I rise in strong support of the Miscellaneous Revenue Act's repeal of the diesel fuel tax for off-highway users. This tax, lodged in the recesses of the 1987 Budget Reconciliation Act, has created havoc for our Nation's farmers. Although off-highway users, such as farmers, are exempt from the diesel fuel tax, they have had to pay it and then apply for a refund.

The result has been more costs, more paperwork, and more regulation, all at a time when farmers must cut expenses and increase efficiency to simply get by. It forced from our farmers an interest-free loan to the Federal Government.

The small farmer, who could least afford to shoulder such a burden in the first place, is the one who has felt the crunch. The typical farm operation would have to pay more than \$1,000 a year in taxes to the highway trust fund for off-road diesel use.

All total, America's farmers would have paid \$420 million every year—money that shouldn't and doesn't belong to the Government. Yet, the Treasury would have the use of this money, interest free, for as long as a year. And in order for farmers to get their money back, they would fill out yet another IRS form.

Reversing this requirement is a sensible, long overdue step toward reducing the costly, bureaucratic web that seems to have overcome agriculture in this country.

The 1980's have not been kind to our Nation's farmers. The road to economic recovery has been long and difficult. By restoring the right of off-highway users of diesel fuel, such as farmers, to purchase fuel without paying the highway user tax we have made the road a little smoother and straighter. And well we should.

MORATORIUM ON FEDERAL STUDIES OF WATER IMPORTATION

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. STALLINGS. Mr. Speaker, 20 years ago Members of Congress representing the Pacific Northwest had the vision and the foresight to ask their colleagues to pass legislation that would protect the waters of the Snake and Columbia River Basin from diversion to the Southwest.

I am very pleased to introduce today legislation that continues the bipartisan spirit that has characterized this effort in the past. We in Idaho and the Northwest are united in our determination to maintain control over our rivers and streams.

This bill will extend for 10 more years a moratorium on Federal studies for the importation of water into the Colorado River Basin.

The original moratorium, passed with bipartisan support in 1968, was extended in 1978 for another 10 years. The current ban on Federal studies, however, will expire on November 2, 1988.

Even though the possibility of a major interbasin water transfer is remote, it is a risk that Idaho and other Northwest States cannot afford to take. The implications of any large-scale transfer from the Columbia and Snake River Basin would be very devastating to Idaho and the Pacific Northwest.

With very few legislative days left in this Congress, I believe it is critical to move forward to ensure that our valuable water resources of the great Northwest are safe from outside threats.

Diversion of our water for use in another State is of major concern and importance to the citizens of the region. Economic development and protection of our resource values are dependent on the availability of water and low electrical energy.

Our water is truly the lifeblood of the region. Irrigation, energy production, fish and wildlife, recreation, and other uses all benefit from effective stewardship of our water resources.

The use and control of our water has been and will continue to be one of the most important issues facing Idaho and the Pacific Northwest. This legislation is needed to assure that we are in control of this precious natural resource.

MIDTOWN CENTER IN CHICAGO

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mrs. COLLINS. Mr. Speaker, for the past 25 years, the Midtown Center in Chicago has been a wonderful asset and inspiration to the Chicago community. It has offered support, guidance, and training to many of our youth, including 2,000 students since 1972. Rather than offer mere lip service that today's youth must take responsibility and uplift themselves,

EXTENSIONS OF REMARKS

the Midtown Center actually takes these youth by the hand and shows them the way.

The Center's Midtown Achievement Program focuses on an individual's contribution to society: to encourage today's youth to develop and use their talents to provide useful goods and services to their community. This is accomplished through strengthening academic areas such as math, science, and English, stressing sportsmanship in various recreational activities, offering basic training in certain professions, and emphasizing character enhancement in all endeavors.

By engaging in these activities with such a constructive and beneficial attitude, the Midtown Achievement Program has regularly inspired its junior high aged enrollees to go on to higher achievements. Whereas about 50 percent of the youth in Midtown's vicinity drop out of high school, the students who participate in the Midtown Achievement Program almost invariably graduate from high school and about 60 percent go on to college.

Since 1963, the Midtown Center has offered direction and hope to disadvantaged youth in Chicago. They have done so in a very well conceived, structured, and effective manner that is tailored to the needs of these youth and the principle of contributing to one's society. Many communities nationwide would benefit substantially from viewing Midtown as a role model for its aims and a structural model for its programs. A proliferation of such worthwhile programs as Midtown's might well result in a new trend toward limitless success among our Nation's urban, disadvantaged youth.

Mr. Speaker, I believe we should be unanimous in applauding such valiant efforts which have resulted in such substantial victories.

HAPPY BIRTHDAY, COAST GUARD

HON. EARL HUTTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. HUTTO. Mr. Speaker, I want to call to the attention of my colleagues in the House that today is the 198th birthday of the U.S. Coast Guard.

On August 4, 1790, the First Congress authorized the construction of 10 sailing ships for guarding the coast of the United States of America against smugglers. Since its beginning in 1790 as the Revenue Cutter Service, the Coast Guard has a long and distinguished record of service to the American people.

The Coast Guard is widely recognized as the premier search and rescue service in the world. In addition, the Coast Guard has numerous other peacetime responsibilities—maritime safety, protection of the marine environment, enforcement of maritime laws and treaties, and polar ice operations in support of U.S. installations and research activities.

As the fifth branch of our Armed Forces, the personnel of the Coast Guard have fought alongside the Navy in every war since the United States conflict with France in 1799. In addition, the Coast Guard is responsible for the coastal defense of our Nation.

August 4, 1988

As the oldest continuous seagoing service of the United States, it is only fitting that we wish the Coast Guard a happy birthday today. However, I also want to look ahead. Just 2 years from today, the Coast Guard will celebrate its bicentennial. Two bills have been introduced in the Congress to provide recognition of the Coast Guard on that important date.

The first is House Joint Resolution 456, to provide a commemorative stamp. That bill already has 200 cosponsors. A second bill, H.R. 3919, introduced by the gentleman from Illinois [Mr. ANNUNZIO] would direct the striking of a medal in honor of the Coast Guard's bicentennial. We would like to get 218 cosponsors for both of these bills.

Mr. Speaker, all Americans benefit from the services of the men and women of the Coast Guard and I hope my colleagues will join in cosponsoring these two bills, particularly H.R. 3919, to honor the Coast Guard on its bicentennial.

TRIBUTE TO CHAPLAIN CLYDE M. JOHNSTON

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. WILSON. Mr. Speaker, this past May my district lost a valuable member of its religious community. Chaplain Clyde M. Johnston had served the Baptist community in east Texas for more than 30 years. He worked long and hard to fill the role of teacher, counselor, and preacher to each of his congregations.

He served as a chaplain at the Texas Department of Corrections in Huntsville for 27 years, and became the director of chaplains for the TDC in 1973. For most people this alone would constitute a full-time and overtime job. Chaplain Johnston, however, also found the energy to share his ideas in published articles, serve as an interim pastor for other area churches and conduct workshops for a number of Christian groups. He also served for some time as the president of the American Protestant Correctional Chaplains Association.

This was a good man, in the most basic and self-sacrificing meaning of the phrase. I know that the people of east Texas who knew him and found comfort and hope in his ministry will miss him a great deal. His death leaves a void that will be very hard to fill.

IMPROVE SAFETY STANDARD IN LIGHT TRUCKS AND MULTI-PURPOSE VEHICLES

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. GEJDENSON. Mr. Speaker, earlier this session I introduced legislation to require that light trucks and vans meet the same safety standards as passenger cars. Recently there has been a great deal of attention paid to this

issue, with considerable focus on the safety of the Suzuki Samurai, the Jeep CJ and other multipurposed vehicles. As it was not clear that these vehicles were also covered by this bill, I have reintroduced new legislation that expands upon the original bill by specifically stating that "light trucks and multipurpose vehicles" meet the same safety standards as passenger cars.

This new modified legislation covers not only the light truck and the minivan but the Suzuki Samurai and other multipurpose vehicles as well. This bill also specifies the safety standards needed and establishes an effective date of January 1, 1990 to give manufacturers the opportunity to make the design adjustments that would be required.

As you may know, light trucks and other multipurpose vehicles account for more than one-third of the automobiles sold in the United States. However these vehicles lack some of the most basic standards we expect from our cars including side door strength, head restraints and roof crush resistance.

The use of light trucks, minivans and multipurpose vehicles has grown dramatically over the past decade. Between 1971 and 1986, the light truck market share of vehicles sold increased from 15 to 30 percent and the new passenger minivan accounts for more than 50 percent of all light truck sales. At the same time, the number of persons killed in light truck accidents has increased while fatalities among occupants of passenger cars has declined.

When light trucks and multipurpose vehicles were exempted from many safety standards established in the 1960's, the rationale for the exemption was that some safety features were not necessary because these vehicles weighed more than passenger cars and were not used as passenger vehicles. However neither of these reasons for weaker safety standards applies today. Light trucks and multipurpose vehicles have shrunk in size and are often marketed as passenger cars. Light trucks and multipurpose vehicles have become the new family vehicles, the "station wagon of the 80's."

Like most Americans, when I bought my minivan, I assumed that it met the same safety standards as a station wagon. It is marketed as a passenger vehicle and is built in a K-car chassis, not a truck chassis. I had every reason to believe that it met the same safety standards as a car but learned long after I brought the van that it did not. As a father of two small children I was shocked to learn that it did not and I am concerned about the safety of my family every time I drive them in this vehicle.

This gaping hole in the vehicle safety standards must be closed and that is why I have introduced this legislation. Common sense dictates that families who ride in these vehicles, whether it be a light truck or a Jeep CJ should be afforded the same safety protection as families, who ride in passenger cars. Many injuries can be avoided and many lives will be saved if this small improvement in vehicle safety regulation is made.

A TRIBUTE TO GLADYS NISEWANDER

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. SCHUETTE. Mr. Speaker, I rise today to honor a constituent who will be turning 100 years old on August 14, 1988. A celebration has been planned in the town of Buckley, MI for Gladys Nisewander to commemorate her 100th birthday and, perhaps more importantly, her overflowing generosity to the people of the community.

Gladys worked as a nurse for 44 years, serving with the same doctor the entire time. During that time period, she attended college to obtain her pharmacy license, becoming one of the first women pharmacist in the State of Michigan. She also managed to find time to write newspaper articles and send care packages to soldiers during both World War I and World War II.

At the age most people begin to slow down and rest, Gladys was just getting her second wind. In 1942, at the tender young age of 54, she began running the local bus station out of her own home in Buckley, MI. Gladys continues to run the bus station today, having survived several changes in bus lines at the station.

But, Gladys did not confine her activities to her business alone, she also was recently awarded a gold pin from the American Red Cross of Wexford County for 60 years of volunteer service. More recently, Gladys has been imparting her wisdom and knowledge of the history of northern Michigan to Buckley's seventh grade class.

Gladys Nisewander is truly a symbol of American dedication, pride, and sacrifice for others. She is an example that we, the Members of Congress, should acknowledge and pay tribute to her many great accomplishments. I know all my colleagues join me in wishing her many more healthy years.

THE PRESIDENT'S POLICY SUCCESSES IN THE PERSIAN GULF

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. LAGOMARSINO. Mr. Speaker, the following commentary by William Randolph Hearst, Jr. appeared in the Los Angeles Herald Examiner and offers an insightful analysis of President Reagan's policy in the Persian Gulf. This commentary also explains the necessity for continued resolve by our diplomats, rather than politically motivated interference by any unauthorized private citizen, to bring about the safe release of our hostages. The determined, unwavering resolve of the Reagan administration's policy to protect the interests of the United States and our allies in the Persian Gulf has brought about the praise of our European Allies as they recognize the success of our policy in the Persian Gulf. These successes only establish the necessity

of continued resolve by the United States in the Persian Gulf as we seek to further the prospects for peace in this troubled area. I urge my colleagues to carefully consider this commentary by Mr. Hearst and the President's foreign policy achievements in the Persian Gulf.

(From the Los Angeles Herald Examiner, July 31, 1988)

REAGAN'S GULF POLICY TRIUMPHS DESPITE CRITICS

(By William Randolph Hearst, Jr.)

SAN SIMEON.—Once again, critics of President Reagan's foreign policy have been proved totally wrong.

You may remember how the president was castigated by Democratic politicians, liberal media pundits and editorial writers when he ordered the Navy to protect freedom of navigation in the Persian Gulf.

Senate Democratic leaders, among them Robert Byrd, Claiborne Pell and Sam Nunn, opposed re-flagged and escorting Kuwaiti oil tankers. Sen. Pell even sponsored legislation to cut off funding for our naval forces in the Persian Gulf.

When the president increased our naval strength in the gulf and ordered the Navy to aid any oil tanker under attack by Iranian forces, the New York Times accused him of "hindering peace negotiations."

When early this month the commander of the U.S. cruiser Vincennes shot down an Iranian commercial aircraft, the president was assailed for having the Navy in the gulf. There were demands for its withdrawal and predictions that Iran would resort to terrible retaliation against Americans, including execution of our hostages in Lebanon.

What happened? There was no terrible retaliation. President Reagan said there would be no withdrawal of our Navy until Iran agreed to a cease-fire and peace negotiations. The Iranian government, with Khomeini's approval, accepted the United Nations cease-fire resolution and negotiators from Iran and Iraq began discussions on how to implement it and bring an end to the eight-year war, which has cost more than a million casualties.

This turn of events is unquestionably one of President Reagan's greatest foreign-policy achievements. But is he getting the credit he deserves? Certainly not at home. But in Europe, his gulf policy is recognized as a major American political triumph. This is clearly evident in the following report I received from Bernard Kaplan, our chief European correspondent.

Bernie reported that European observers almost unanimously agree that Iran's bid for a cease-fire in the gulf war represents:

"A victory for the Reagan administration's display of diplomatic and, above all, military resolve and an enormous boost to America's longer-term prestige and power in the Middle East."

"Thus," Bernie added, "France's leading daily, Le Monde, seldom a champion of U.S. foreign policy, conceded that 'if the cease-fire proves effective, faith in the U.S. will soar among the gulf states.'"

"Switzerland's highly regarded Journal de Geneve said the unfavorable conditions under which the Khomeini regime decided to accept an end to the conflict 'can be seen as America's revenge for the humiliations it suffered at the Iranian revolution's hands less than a decade ago.'"

"The London daily Independent said the Persian Gulf Arab states of the region 'will surely now regard America as their savior.'"

... It's fair to say that, without U.S. naval intervention and the fundamental threat it posed to Iranian strategic security, the war would have gone on and on.'

'Another British paper, the Sunday Times, believes the key to the sudden Iranian turnabout was its 'critical shortage of arms,' brought about, essentially, by the growing effectiveness of a Western arms embargo largely 'orchestrated by the United States.'

'It took a long time for the U.S. to exert the necessary pressure to cut off Iran's arms supplies, the paper added, but once it did, Iran's war machine was 'doomed.'

'The Journal de Geneve said the setback which Khomeini's Islamic fundamentalism has suffered 'changes the political balance in the Middle East. . . Iran's allies and other extremists cannot fail to take account of the implications. For them, the Ayatollah's nemesis has proved to be less Saddam Hussein [Iraq's dictator] than Ronald Reagan.'

The prospect of President Reagan getting the hostages released before the November elections has obviously created such consternation in the Dukakis camp that Jesse Jackson has announced he will try to deal first with the Iranian foreign minister. He apparently is unaware of the Logan Act, which prohibits a private citizen from engaging in any talks or negotiations with a foreign government with which the U.S. is involved in a dispute or controversy.

That act should be invoked without delay to stop the scene-stealing political maverick from interfering with President Reagan's diplomatic efforts to secure release of the hostages and end the Iran-Iraq war.

WEST MICHIGAN ENVIRONMENTAL ACTION COUNCIL CELEBRATES ITS 20TH YEAR

HON. PAUL B. HENRY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. HENRY. Mr. Speaker, we have an obligation to insure that America is forever known as that land which is beautiful for its "spacious skies", and seas which "shine". "From California to the New York island", this land belongs not only to us, but future generations. It is with great pride that I commend the West Michigan Environmental Action Council [WMEAC] for its 20 year educational and public policy commitment to this obligation.

At a time when environmental conservation was not a primary concern for the majority of Americans, WMEAC established one of the first truly grassroot environmental organizations comprised of church groups, parent teacher groups, business clubs, labor organizations, and other associations. It soon became a dynamic force behind a number of initiatives to promote sound natural resources management and environmental protection policies.

As many of our colleagues will recall, Mr. Chairman, within the first 2 years of its existence, the West Michigan Environmental Council had initiated, along with the Environmental Defense Fund, National Audubon Society, and the State of New York, the Federal suit that led to the end of most uses of DDT in the United States. In this short period, they also led a successful statewide battle to pass

Michigan's internationally known Environmental Protection Act. This act is now the model for at least nine other States and has been the subject of respect and interest for environmental conferences around the world.

Into the 1970's and 1980's, the West Michigan Environmental Action Council brought action that successfully stopped the experimental recycling of plutonium. They led the campaign for passage of the nationally known State Inland Lakes and Streams Act, which prevents the unauthorized diversion, dredging, and filling of inland lakes and streams. In addition, they won protection from oil drilling for the Pigeon River country in the Michigan Supreme Court and then worked with the Michigan DNR to establish protection guidelines before oil drilling could occur in that region. WMEAC also began the Michigan used Motor Oil Recycling Program. They coordinated a successful campaign to ban the dangerous use of chloradane. And WMEAC continues to engage in ongoing efforts to preserve the fragile sand dunes which hover above the Lake Michigan shoreline.

While WMEAC's accomplishments are many, you will find that this organization's achievements best exemplify that strong protection of the environment prospectively is more cost effective than reclaiming past abuses retrospectively.

Furthermore, through its educational outreach programs—publications, presentations, and seminars—WMEAC has fostered an understanding of key environmental concerns among our citizenry. WMEAC has helped us to focus upon changes that each of us can make so as to not squander or contaminate our valued and limited resources.

Mr. Speaker, I would like to commend all those people who have been associated with WMEAC during the past 20 years. Their hard work and sense of commitment has enabled Michigan residents to live in a more healthy environment, and from this, future generations will also benefit. Mr. Speaker, please join me in wishing the West Michigan Environmental Action Council a happy 20th anniversary. We look forward to the many more productive and successful years which are sure to follow.

CONGRESSIONAL CALL TO CONSCIENCE FOR SOVIET JEWRY

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. WEISS. Mr. Speaker, I am proud to participate today in the 1988 Congressional Call to Conscience for Soviet Jewry. I commend all who have taken part in and organized this activity for their commitment to this important cause.

Mr. Speaker, it is especially appropriate that we address the issue of human rights in the Soviet Union this week. On Monday, we commemorated the 13th anniversary of the signing of the Helsinki Final Act. By signing this document, the Soviet Union made a commitment to honor the basic human rights of its citizens, including the right of free emigration. Despite the new glasnost policy in the Soviet

Union, however, we have yet to see a fulfillment of this commitment as it affects emigration of Soviet Jews.

There are still between 300,000 and 500,000 Jews in the Soviet Union who want to leave that country. And yet the Soviet Union persists in manufacturing reasons to prevent their emigration. I have spoken on this floor many times about these human rights violations—about secrecy refuseniks who know no secrets, about prisoners of conscience who have committed no crimes, about 10 years and longer refuseniks who have lost their jobs and homes while repeatedly being denied permission to emigrate. Indeed, there is much to talk about.

Today, however, I want to concentrate on one particular family whose case I have followed for many years. It is a family that has been torn apart by the arbitrary Soviet legal system. The family is that of one of my constituents, Dr. Sophia Fishel.

Dr. Fishel emigrated to the United States in 1977. Two years later, her son Sergei and his wife and two children applied to join her. His application was denied without reason, and both he and his wife were fired from their jobs. Left by the Government without any means of sustaining himself and his family, Sergei became involved in an attempt to smuggle an icon out of the Soviet Union. While his partner in this attempt was assessed a modest fine, Sergei was sentenced to 9 years of hard labor in a Siberian camp.

Over the years, his mother and I have tried numerous times to arrange for clemency for Sergi. Now, finally, as his sentence has expired, I have news that Sergi may be returning to Moscow. This is certainly a welcome development. Meanwhile, however, the rest of the Fishel family has suffered from the arbitrariness of Soviet law as well.

Sergi's son Mark, who is now 18 years old, has only one kidney. Despite this severe medical problem, he was drafted into the Soviet army last winter. Even the Soviet army doctors have now admitted that Mark needs medical care, and upon invitation from his grandmother, he applied for a visa to come to the United States for treatment. His application was refused on the grounds that his invitation did not come from a close relative. Needless to say, his grandmother is astounded to learn that her only grandson is not a close relative.

It is imperative that Mark be allowed to come to the United States. And in fact, when Sergi returns to Moscow, his whole family plans to apply once again for permission to emigrate. This will be the family's fourth application. I call upon the Soviet authorities to honor their pledge to live up to their human rights agreements and allow the reunification of the Fishel family.

But the Fishel family, while important, is only an example of the gross violations of human rights perpetuated by the arbitrariness of Soviet law. I call upon the Government of the Soviet Union today to make glasnost a reality for the hundreds of thousands of refuseniks, Jewish and non-Jewish, by adopting a uniform and free emigration policy for all Soviet citizens who wish to leave the country.

Mr. Speaker, once again I commend my colleagues JOHN MILLER and CARLIS COLLINS,

as well as the Union of Councils for Soviet Jews, for their work on this Congressional Call to Conscience, and I thank them for allowing me to participate. I will continue to do everything I can to secure basic human rights for Soviet Jews until the very last refusenik is given freedom.

**JOAN HERBST—A GRACIOUS
PUBLIC SERVANT**

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. TAUKE. Mr. Speaker, it is with a great deal of sadness that I announce today that my personal secretary, Mrs. Joan Herbst, will be retiring on August 31. Joan's dedication, positive attitude, and insight have made her an integral member of my staff. She will be greatly missed, and I know that I speak for my entire staff and those in the House who have worked with her in extending my appreciation for a job well done and my best wishes for a successful and rewarding retirement.

Joan is a native Floridian and came to Washington in the 1940's to serve in the State Department, where she was eventually stationed in Geneva, Switzerland. She married Mr. Kennedy Herbst and settled in my hometown of Dubuque, IA. They raised four children, before Joan answered my request for assistance in Washington in 1985.

Joan has served me well. She is a trusted and loyal friend, and a woman of deep faith and strong conviction. She lives according to the values and ideals she articulates, and in doing so has inspired me and many others. She provides countless courtesies to constituents, congressional staffers, and lobbyists who visit my Washington office. She's the pleasing voice at extension 5-2911, and she offers a stable balance to the all-too-hectic days when Members seemingly rush from crisis to crisis. Joan cuts down on the number of crises which I face each day, and for that I am very grateful. She is a thoughtful, considerate, and gracious public servant.

Joan, you have my warmest commendation for your great service to my office and to northeast Iowa. You can take faith in the Biblical admonition: "Well done, thou good and faithful servant. Thou hast been faithful over a few things. We will still make thee ruler over many, many in the years to come."

**PRO-LIFE AND CAPITAL
PUNISHMENT**

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. CLAY. Mr. Speaker, I am appalled that so many Members of this body who consistently use the well of this House as a forum for championing the right-to-life of the unborn are

now demeaning the sacred lives of those already born by supporting a capital punishment amendment to the Omnibus Drug Initiative Act. This contradictory behavior, however, is by no means exclusively limited to Members of Congress.

Recently, when the Roman Catholic Bishops of America suggested that the right-to-life movement expand its agenda to include poverty, hunger, nuclear war, and capital punishment, an intense disagreement between leadership and laity erupted and became a matter of public debate. The recommendation to align these issues soared among ultraconservative, Catholic, antiabortion groups like a lead-filled balloon. If the Catholic Bishops are not more judicious in their moral interpretations, they may soon find themselves the objects of petition drives demanding their impeachment.

Despite the direction given by religious leadership, most Christian followers refuse to recognize the logical link between right-to-life and the abolition of capital punishment. Speaking to this point, the Catholic Bishops of the United States said:

We do not wish to equate the situation of the criminals convicted of capital offenses with the condition of the innocent unborn or of the defenseless aged or infirm, but we do believe that the defense of life is strengthened by eliminating exercise of a judicial authorization to take human life.

The American Bishops have been backed on this issue by Pope John Paul II. A spokesman for the Vatican said:

If we are going to be for life, we have to be for all life, not just in the womb * * * and this Pope is definitely for life.

In spite of this endorsement, Cardinal Joseph L. Bernardin of Chicago, who advanced the idea of aligning other moral considerations with the right-to-life movement, has found himself under attack from the Catholic right.

Robert M. Patrick of the ad hoc committee in Defense of Life Inc. explained that:

A broad range of prolife leaders * * * are rejecting the Chicago Archbishop's demand that abortion be made just another issue among many others—ranging from poverty to a concern for human rights in El Salvador—because it would deny abortion's unique status as the nation's premier special issue.

In the organization's newsletter, "Lifeletter," it was reported, "The great majority of antiaborts (sic) reject linkage of abortion with anything else." That judgment was the result of a nationwide poll. In a similar reaction to Cardinal Bernardin's proposal, an antiabortion group in Massachusetts adopted a resolution decrying "Any and every attempt to classify as pro-life any candidate * * * locally or nationally, who supports abortion, promotes abortion or votes to fund abortion." The "Catholic Eye," a conservative news organ of the church opines "Proabortion Catholic politicians like Senators TEDDY KENNEDY and Vermont's PAT LEAHY can now claim to be as pro-life as, say, HENRY HYDE or JESSE HELMS—you know, they just take different sides."

Mr. Speaker, the bishop's statement makes it clear that it is inconsistent to cherish the life

of the unborn and at the same time demean the life of those already born. In the vernacular of the ghetto, the bishops are saying, "That bird won't fly."

Speaking of birds, one member of the pro-life movement, James Hitchcock, a professor of history at Saint Louis University, rejected Bishop Bernardin's wedding of abortion to capital punishment. He wrote, "The bishops want to shed the abortion albatross by changing the subject from abortion to the immorality of nuclear war * * *"

Others in the right-to-life movement are not so poetic in their depictions. A board member of Missouri Citizens for Life, said, "Abortions and nuclear war are not analogous moral questions."

It seems as if ardent supporters of the pro-life movement who also advocate the death penalty adhere to a definition of life which is limited in scope and relegated to a time certain. As our colleague Representative BARNEY FRANK of Massachusetts said recently " * * * according to them, life begins at conception and ends at birth." What occurs after that miraculous occasion is of far less consequence to them. Perhaps that explains why most pro-lifers oppose Government funding of programs to clothe the naked, feed the hungry, and house the homeless. It also may explain how they rationalize hawkish stances or war and nuclear proliferation while displaying little concern for toxic contamination of the air and water. If life begins at conception and ends at birth, why should anyone give serious thought to what transpires thereafter?

Executing a 13-year-old boy in the electric chair at a State prison in Florida is acceptable to those same people who believe that aborting a 13-day-old fetus is sufficient cause for a massive protest demonstration. In fact, recent marches sponsored by the national right-to-life movement have attracted thousands of people to Washington, DC. These marches are scheduled to coincide with the anniversary of the 1973 Supreme Court decision, Roe versus Wade, which held that the Constitution protects a woman's decision to terminate her pregnancy. Although the same Supreme Court is responsible for opening the floodgates and allowing States to take the lives of over 1,400 prisoners, few, if any of the protesters have decried this particular assault on human life.

Mr. Speaker, since Cardinal Bernardin observed the relationship between abortion and other life support issues, most leaders of the prolife movement have scrambled to capture the moral high ground. While emphasizing abortion as the only question of ethics on the political horizon they carefully articulate the evils of nuclear war, decry the abandonment of the sick, the hungry and the elderly, and silently disregard capital punishment. The leaders of this movement have demonstrated a single-minded crusade to defeat all elected officials who disagree with them on the question of abortion while simultaneously embracing those who oppose the other life support issues inherent in the right-to-life struggle—including capital punishment.

CLOSED-CAPTIONED TELEVISION SERVICES FOR THE HEARING-IMPAIRED ACT OF 1988

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. BONKER. Mr. Speaker, it is with great pleasure that I am introducing today legislation to ensure that our Nation's more than 24 million deaf and hearing impaired citizens have access to information provided through television—a critical form of communication that those of us without impaired hearing take for granted.

My legislation—the "Closed-Captioned Television Services for the Hearing Impaired Act of 1988"—simply states that a variety of federally funded facilities and educational institutions must ensure that those who use their services have access to closed-captioned television viewing. It also would require that public service announcements paid for or produced by the Federal Government—such as IRS information—must be captioned.

Before I say a few words about the importance of my bill I would like to thank my distinguished colleagues, Senator CLAUDE PEPPER and Congressman DAVID BONIOR, who have joined me in cosponsoring this bill. Senator PEPPER's record in serving the disabled is extraordinary. His most recent accomplishment is the creation of the National Institute for Deafness and Communicative Diseases at the National Institutes of Health. My esteemed colleague, Mr. BONIOR, in addition to his fine work in Congress, serves as a member of the board of directors for Gallaudet College, our Nation's only college for the hearing-impaired.

Also, I am delighted to announce that my good friend and colleague, Senator TOM HARKIN, chairman of the Labor and Human Resource's Subcommittee on the Handicapped, will offer the companion measure to my bill in the Senate.

Closed-captioning is, in essence, a form of subtitling that enables those who cannot hear television programming to "see" the dialog at the bottom of the screen. It's like viewing a subtitled foreign film which I'm sure all of us have done.

How is this accomplished? Actually, it's quite simple. It's done primarily through the use of a "decoder," which now comes as a small 4 pound box that can be attached quickly to an individual television set. This electronic wonder now costs less than \$200. Moreover, institutions can acquire systems than can handle up to 1,000 TV sets for \$1,800.

And, this technology continues to develop. Several TV manufacturers have indicated that they will put a "decoder module" into newly manufactured TV's that will add no more than \$10 to the cost of a television.

Over 24 million Americans are deaf or are hearing impaired. Some 38 percent of older Americans are either deaf or have a serious hearing impairment. My bill will be of immense benefit to these populations.

But they are not the only ones who will benefit. Captioned television helps children with learning disabilities and those who are having

EXTENSIONS OF REMARKS

difficulty learning to master basic reading skills. Captioned viewing can help with our serious illiteracy problem. Also, this technology helps those who are learning English as a second language.

Television improves the quality of life for many Americans. Researchers at Western Oregon State College [WOSC] placed decoders in a number of nursing homes, including in my home district, to study the impact of closed-captioned services on nursing home residents. Not surprisingly, they found that not only did the residents' quality of life improve, but interaction between residents also improved.

Television serves us as an invaluable source of information. It is much more than a form of entertainment. Television programming is used to teach and inform—at home, in publicly funded programs and at universities and colleges. Essential public announcements are communicated through television.

But this critical source of information is simply not available to great numbers of hearing impaired Americans, and others who would benefit from closed-captioned television. The amount of captioned programming provided by the networks is increasing rapidly. In particular, ABC is doing a terrific job in this area.

Yet, Mr. Speaker, regardless of the amount of captioned programming available, if the viewer does not have access to the decoder technology, they are denied this fundamental source of information. My legislation expands opportunity and access to a very large segment of our population with a significant disability.

This legislation is endorsed by key organizations representing the deaf, including the National Association for the Deaf, Self-Help for the Hard of Hearing, the National Captioning Institute, and 15 others. I urge my colleagues to join Mr. PEPPER, Mr. BONIOR, and me in supporting this legislation which will help to bring the hearing impaired more completely into the mainstream of American life.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Closed-Captioned Television Services for the Hearing-Impaired Act of 1988".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Captioned television provides access to information, entertainment, and a greater understanding of our Nation and the world to over 24,000,000 people in the United States who are deaf or hearing-impaired.

(2) Captioned television provides benefits for the nearly 38 percent of our Nation's elderly who suffer from some loss of hearing.

(3) Captioned television assists both hearing and hearing-impaired children with reading and other learning skills, and improves literacy skills among adults.

(4) Captioned television assists those among our Nation's large immigrant population who are learning English as a second language with language comprehension.

SEC. 3. DECODER REQUIREMENTS FOR CERTAIN FEDERALLY-CONNECTED BUILDINGS AND FACILITIES.

(a) ELIGIBILITY OF CERTAIN HEALTH CARE PROVIDERS TO PARTICIPATE IN MEDICAID OR

August 4, 1988

MEDICARE PROGRAMS.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) (as amended by section 428 of the Medicare Catastrophic Coverage Act of 1988 (Public Law 100-360)) is amended by adding at the end the following new section:

"TELEVISION DECODER REQUIREMENTS FOR CERTAIN PROVIDERS OF MEDICAID AND MEDICARE SERVICES

"SEC. 1141. (a) The Secretary shall provide that a hospital meeting the requirements of title XVIII or XIX may participate in the program established under such title only if the hospital certifies that—

"(1) each patient at such hospital is provided, upon request, with a patient room furnished with a television that displays closed-captioning; and

"(2) the hospital provides notice of the availability of a patient room furnished with such a television to each patient at the time of such patient's admission, unless the hospital certifies that it does not make televisions available to patients.

"(b)(1) The Secretary shall provide that a nursing care facility or an intermediate care facility for the mentally retarded meeting the requirements of title XVIII or XIX may participate in the program established under such title only if such facility certifies that each television in each common area in such facility displays closed-captioning.

"(2) The Secretary shall provide that such a facility may participate in such a program only if such facility certifies that—

"(A) each resident at such facility is provided, upon request, with a resident room furnished with a television that displays closed-captioning; and

"(B) the facility provides notice of the availability of a resident room furnished with such a television to each resident at the time of such resident's admission, unless the facility certifies that it does not make televisions available to residents."

(b) DECODER REQUIREMENTS FOR TELEVISIONS USED IN CERTAIN VETERANS' ADMINISTRATION FACILITIES.—(1) Subchapter III of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

"§630A. Television decoder requirements

"(a) The Administrator shall ensure that each patient at each hospital under the direct jurisdiction of the Administrator is provided, upon request, with a patient room furnished with a television that displays closed-captioning, and that each such hospital provides notice of the availability of a patient room furnished with such a television to each patient at the time of such patient's admission.

"(b)(1) The Administrator shall ensure that each resident at each nursing home and domiciliary facility under the direct jurisdiction of the Administrator is provided, upon request, with a resident room furnished with a television that displays closed-captioning, and that each such nursing home and domiciliary facility provides notice of the availability of a resident room furnished with such a television to each resident at the time of such resident's admission.

"(2) The Administrator shall ensure that each television in each common area in each such nursing home and domiciliary facility displays closed-captioning.

"(c) The provisions of subsections (a) and (b)(1) shall not apply with respect to any hospital, nursing home, or domiciliary facility.

ty which does not make televisions available to any patients or residents."

(2) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by inserting immediately after the item relating to section 630 the following new item:

"630A. Television decoder requirements."

(C) DECODER REQUIREMENTS FOR TELEVISIONS IN PUBLIC HEALTH SERVICE HOSPITALS.—Part C of title III of the Public Health Service Act (42 U.S.C. 248 et seq.) is amended by inserting immediately after section 321 the following new section:

"TELEVISION DECODER REQUIREMENTS

"SEC. 321A. The Secretary shall ensure that each patient at each institution, hospital, or station of the Service is provided, upon request, with a patient room furnished with a television that displays closed-captioning, and that each such institution, hospital, or station provides notice of the availability of a patient room furnished with such a television to each patient at the time of such patient's admission."

(d) ELIGIBILITY OF INSTITUTIONS OF HIGHER EDUCATION FOR STUDENT ASSISTANCE PROGRAMS.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended by adding at the end the following new paragraph:

"(11) The institution certifies that each television set in each classroom and common area under its authority and control displays closed-captioning, unless the Secretary determines that a waiver of such certification requirement would be appropriate."

(e) DECODER REQUIREMENTS FOR TELEVISIONS USED IN BASIC ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.—Part F of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end the following new section:

SEC. 1192. TELEVISION DECODER REQUIREMENTS.

"(a) IN GENERAL.—An agency conducting a program under this chapter which consists in whole or in part of the viewing of television programming shall certify that each television used in carrying out such program displays closed-captioning.

"(b) WAIVER.—The Secretary may waive the requirement of subsection (a) if he determines that, in the case of a particular agency, such a waiver would be appropriate."

(f) OTHER FEDERAL ENTITIES.—Each entity of the Federal Government which uses television or video programming to provide informational or educational services to the general public, or which produces informational or educational television or video programming, shall make reasonable efforts to caption such programming, and shall make information on such captioned programming available to the general public and to organizations that serve the hearing-impaired.

(g) EFFECTIVE DATES.—The amendments made under subsections (a), (b), (c), (d), and (e) shall take effect 1 year after the date of the enactment of this Act.

SEC. 4. RESTRICTIONS ON ALLOWABLE EXPENSES FOR OVERNIGHT ACCOMMODATIONS FOR FEDERAL EMPLOYEES TRAVELING ON OFFICIAL BUSINESS.

(a) IN GENERAL.—

(1) AMENDMENT TO TITLE 5.—Section 5702 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) An employee who is described in subsection (a) of this section is not entitled

to any payment pursuant to such subsection for lodging expenses incurred in any State at any hotel, motel, or other place of public accommodation which does not, upon request, provide guests with guest rooms furnished with televisions that display closed-captioning, unless there is no room available at a place of public accommodation providing such television sets located within a reasonable distance of the place of his official business, as determined in accordance with regulations prescribed by the Administrator of General Services.

"(2) For purposes of this subsection—

"(A) the term 'place of public accommodation' means any inn, hotel, motel, or other establishment which provides lodging to transient guests and, in the course of providing such lodging, provides such guests with guest rooms furnished with televisions, other than an establishment located within a building which contains not more than 5 rooms for rent or hire and which is actually occupied as a residence by the proprietor of such establishment; and

"(B) the term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States."

(2) NOTICE TO FEDERAL AGENCIES.—Not later than 6 months after the date of the enactment of this Act, the Administrator of General Services shall notify the head of each agency whose employees will be subject to the amendment made by paragraph (1) of the existence of such amendment.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to lodging expenses which are incurred after the expiration of the 1-year period which begins on the date of the enactment of this Act.

(b) ESTABLISHING RATES AND DISCOUNTS FOR LODGING EXPENSES.—

(1) AMENDMENT TO TITLE 5.—Subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

"§5707a. Effect of television decoder requirements on establishment of rates and discounts for lodging expenses

"(a) Studies or surveys conducted for the purposes of establishing per diem rates for lodging expenses under this chapter shall be limited to places of public accommodation which, upon request, provide guests with guest rooms furnished with televisions that display closed-captioning. The provisions of this subsection shall not apply with respect to studies and surveys that are conducted in any jurisdiction that is not a State as defined in section 5702(d)(2)(B).

"(b) The Administrator of General Services, in negotiating lodging discounts for official travel, shall not accept, or include in any directory of lodging accommodations, any rates offered by a place of public accommodation which does not provide guests with guest rooms furnished with televisions that display closed-captioning.

"(c) For purposes of this section, the term 'place of public accommodation' has the meaning given such term under section 5702(d)(2)(A)."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 5, United States Code, is amended by adding at the end the following new item:

"5707a. Effect of television decoder requirements on establishment of rates and discounts for lodging expenses."

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect 1 year after the date of the enactment of this Act.

(C) PROHIBITION OF FEDERAL FUNDING OF CONFERENCES HELD AT NON-COMPLYING PLACES OF PUBLIC ACCOMMODATION.—

(1) IN GENERAL.—No funds may be provided by the Federal Government for the specified purpose of sponsoring or funding in whole or in part a meeting, convention, conference, training seminar, or any similar event that is conducted in, or that otherwise uses the rooms, facilities, or services of, a place of public accommodation which does not, upon request, provide guests with guest rooms furnished with televisions that display closed-captioning.

(2) DEFINITION.—For purposes of this subsection, the term "place of public accommodation" has the meaning given such term under section 5702(d)(2)(A) of title 5, United States Code (as added by subsection (d)(1)).

(3) EFFECTIVE DATE.—The provisions of this subsection shall take effect 1 year after the date of the enactment of this Act.

SEC. 5. CLOSED-CAPTIONING REQUIREMENTS FOR PUBLIC SERVICE ANNOUNCEMENTS.

(a) IN GENERAL.—Each public service announcement which is sponsored by or funded in whole or in part by the Federal Government shall be closed-captioned.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this Act.

SEC. 6. ASSERTION OF OTHER RIGHTS NOT PRECLUDED.

Nothing in this Act shall preclude any individual from asserting any right based on any Federal or State law not inconsistent with this Act, including any statute or ordinance requiring nondiscrimination by a recipient of Federal financial assistance or requiring nondiscrimination in places of public accommodation, or from pursuing any civil or criminal remedy which may be available for the vindication or enforcement of such right.

**RECLAIMING HOUSING FROM
DECAY, CRIME**

HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 4, 1988

Mr. AuCOIN. Mr. Speaker, I am delighted that the HUD appropriations conferees decided to give deteriorating neighborhoods a face-lift, by including \$20 million for the Nehemiah Housing Program. This money will help cities, including Portland, OR, begin to reverse neighborhood deterioration, decrease crime and provide more first-time homeownership opportunities for low- and moderate-income families.

Portland, OR, ranks fifth in the Nation for major crimes. Seventy-five percent of those crimes are drug related. We've got whole blocks of abandoned houses, which are just magnets for drugs and crime.

In northeast Portland alone, there are 2,600 vacant houses and in some cases entire city blocks stand abandoned. Without this program, city of Portland officials estimate that they can only save 10 percent of the abandoned housing problem. This program drives

the drug dealers out and bring the homeowners in.

The Portland Oregonian has been running a series entitled "Neighborhoods Under Siege." The series not only spotlights the problem of deteriorating neighborhoods, but also the deterioration of families and communities caused by the drugs, crime, and poverty that are as much a mark of these neighborhoods as are broken windows and empty lots.

I am inserting in the RECORD two of these Oregonian articles so my colleagues can see what it's like to walk through these neighborhoods.

The articles follow:

ABANDONED HOUSES BLIGHT NE COMMUNITY
(By Kathie Durbin)

The back streets of the King neighborhood reveal a Portland most residents never see—a Portland more closely resembling the shattered cityscape of Detroit than one of the nation's most livable urban areas.

On Northeast Grand Avenue just behind the King Early Childhood Education Center, five abandoned, boarded-up houses cluster in the short block between North-east Alberta and Humboldt streets.

A huge blue derelict house, empty for at least a dozen years, looms at the corner of Northeast Prescott Street and Grand Avenue. Farther south, empty houses bear witness to the predations of drug addicts and transients who have removed door-knobs, pulled down light fixtures and taken anything that can be salvaged and sold.

At one house the central furnace vent has been removed, leaving a gaping rectangular hole in the floor. At another, blackberry vines grow through a window. Many houses bear the red stickers that indicate they have been posted by the city of Portland as dangerous buildings.

Edna Robertson, coordinator for 10 inner-Northeast neighborhoods for the city of Portland, has lived in the King neighborhood for 30 years. She believes outside property owners have contributed to the area's blight. "During that time that you could afford to get a house," she said, "absentee landlords were buying up houses as tax write-offs and putting no money into them."

Robertson spent 3½ months earlier this year conducting a "windshield survey" of abandoned buildings in the 11 neighborhoods she serves. She counted about 900 in all and 196 in the King neighborhood alone—by far the highest number in any city neighborhood.

Neighborhoods bordering King—most of them poor and predominantly black—also had high numbers of abandoned houses: 120 in Boise, 97 in Concordia, 92 in Eliot, 90 in Humboldt, 82 in Woodlawn, 61 in Sabin, 60 in Vernon. Only scattered low-income neighborhoods in other areas such as Errol Heights, Montavilla and Lents in Southeast Portland and St. Johns in North Portland have abandoned buildings in numbers approaching those levels.

Robertson's survey verifies the inventory recently compiled by the Portland Water Bureau, which counted at least 2,500 abandoned houses citywide based on the number of single-family houses in each city neighborhood that had their water shut off for at least six months.

The city of Portland is mobilizing to tackle the complex problem of abandoned housing. Two committees, recently merged under Mayor Bud Clark's office, are studying ways to turn the growing inventory of empty houses back into habitable dwellings.

They are scheduled to make their recommendations to the City Council in September.

The abandoned hulks on the side streets of inner-Northeast Portland are a magnet for the crack dealers who set up shop in empty houses for a few hours or a few days with just a folding chair, then move on when the word gets out about their presence.

"To drive through some sections of Northeast Portland and see the large number of vacant and abandoned houses, to me it's a shame," said Capt. Tom Potter of the Portland Police Bureau's North Precinct. "When good people leave their houses, there's a vacuum and the vacuum is filled by a criminal element."

Attacking the city's abandoned-building problem is the job of the Portland Bureau of Buildings, and the city's dangerous-building ordinance, adopted in 1978, is its main tool.

Under the ordinance, it is a violation for a house to be left vacant for more than six months and allowed to deteriorate. Leaving a vacant house open is a violation of a separate nuisance ordinance, which is also aimed at property with high unmowed grass, garbage and debris.

If a building is posted as dangerous, owners have 30 days to apply for a building permit to make repairs. If they don't, another inspection is made and the case is referred to the city code hearings officer, William Shatzer.

Owners are required to repair dangerous buildings within six months after they obtain permits unless Shatzer grants an extension—which he does routinely the first time. He has the authority to fine owners up to \$500 a day for non-compliance—but he said he rarely levies fines because most owners of abandoned houses aren't wealthy and he'd rather see them spend their money to fix up their property. He may also order a building vacated and demolished—which he does about 10 times a month.

The Bureau of Buildings has two inspectors to investigate complaints of dangerous buildings. In 1987, they made 1,816 inspections, including follow-ups on neighborhood complaints as well as repeat visits. As a result, 166 building permits were issued to do the required repairs, 99 demolition permits were issued and 65 houses were demolished—42 by owners and 23 by the city.

Doug Miller, the bureau's director of housing, said he could do more if he had more inspectors and a larger budget. But the housing section ran through its \$160,000 demolition fund for dangerous buildings in April, with two months left in the 1987-88 fiscal year.

The city also has powers it doesn't use.

When the city does pay for demolition and charges the cost to the owner as a lien against the property, it seldom recoups the cost because it does not foreclose for delinquent taxes or assessments—a political decision the City Council made in the early 1970s after it received a torrent of negative publicity in a controversial foreclosure case. It doesn't exercise its powers of condemnation to acquire dangerous and abandoned buildings. And although it has authority to repair houses and bill the owners, it doesn't have the money or any assurance it could sell the properties if it did, said Margaret Mahoney, Bureau of Buildings director.

"We still have the general livability issue," Mahoney said. "We have to provide support for people who go back into some of these neighborhoods."

Multnomah County does foreclose on property, Shatzer said, but only after five years—and it usually doesn't go after property in inner-Northeast Portland because it considers it a liability, not an asset.

"There are properties in this city that have negative value, a value of less than zero," he said. "Not only can't you sell them, you can't give them away."

More aggressive enforcement of the dangerous-building ordinance would help, Miller said, but the city also has to consider that most neighborhoods don't want to lose housing.

So unless a house is dangerous enough to warrant demolition, it's likely to stand there, year after year, in a state of disrepair. Several abandoned houses in the King neighborhood have been posted two or three years in succession with no apparent response to repair orders.

"The problem with many of these is finding an owner who's willing to do the repair work," Mahoney said. "In some cases where property has changed hands repeatedly through land sales contracts, it's very difficult to find the owners."

Most owners of abandoned houses are what Mahoney calls "close absentee owners"—people who live somewhere in the metropolitan area, and own between 15 and 40 run-down houses that they bought cheap in the late 1970s when property values were on the upswing.

With the explosion of criminal drug activity and other problems in inner-Northeast, she said, "I've known responsible property-owners who are just exhausted. They don't know what to do with these properties."

CRACK EPIDEMIC RIPS AT FABRIC OF WEST COAST

(By Kathie Durbin)

Crack cocaine has focused a spotlight on persistent poverty, neighborhood blight and lack of opportunity for youths in low-income communities.

"Crack is definitely an enemy within our society that is ripping through our society," said Useni E. Perkins, president of the Urban League of Portland. "It feeds upon those who are disenfranchised and gives them a means for escapism. It serves as a crutch."

In cities up and down the West Coast, the crack epidemic has put pressure on police, neighborhood activists and political leaders to counter the crime, violence and physical deterioration of drug-infested communities.

Long-term solutions to the crack plague lie with parents, with the schools, and with city and business leaders willing to make tough choices about investing in low-income areas where crack has offered a road out of poverty.

In the meantime, ordinary citizens who live near drug houses are banding together in many cities to save their neighborhoods and salvage young lives. Some groups work closely with police; others keep their distance from the law so they can gain the trust of young drug dealers and help turn their lives around.

In Sacramento, Calif., when Los Angeles gang members moved into the southside Meadowview neighborhood and began selling crack cocaine in 1985, the 20-member Meadowview Improvement Association mobilized.

To the astonishment of police, its members enlisted young men with gang affiliations to help register voters and found

them jobs at the state fair and in parks and recreation programs.

"If you talk to gang members and you continue to bug them, some of them will turn around," said organizer Barbara McFalls. "They need this kind of (job) experience to help them out when they go to court."

She helped persuade witnesses in a near-fatal beating to set aside their fears and testify in a court, resulting in the conviction of four gang members just this month. "So far we haven't had any retaliation (against) witnesses because we're getting the hard-core people off the street," McFalls said.

She and her neighbors have worked with the city and school district to keep school gyms and swimming pools open all summer, and they've put pressure on owners of low-income rental houses to screen out drug-dealing tenants. Through the association's efforts, gang drug dealers have stopped selling crack openly outdoors and moved inside.

But citizens can't accomplish much without support from their elected representatives, McFalls said. "I feel if the city officials don't look after the areas they represent, they'll become little ghettos," she said. "That's what we're trying to prevent."

Sections of some California cities already have been claimed by violent crack-dealing gangs. In some areas the problem is so entrenched that it is difficult for ordinary citizens to do much on their own.

In San Francisco, where crack dealers have virtually taken over some public housing projects and made parents fearful of allowing their children to play outdoors, residents of the Sunnydale project on the city's southeast side have called for housing officials to stem the trade by filling vacant units in the projects, screening new tenants, issuing parking stickers and evicting dealers.

In Los Angeles County, where more than 165 persons have died this year in violence attributed to street gangs, black ministers last week took the initiative in bringing together leaders of the Bloods and the Crips—the two most notorious gangs—in talks aimed at ending the violence.

SEATTLE RESPONSE

In Seattle, which has recorded seven gang-related murders in the past two years, concerned citizens and business owners formed the South Seattle Crime Prevention Council in January to fight drug-related crime in an area from Lake Washington to Interstate 5. Their main tactic is a hot line to encourage reports of suspicious behavior, including drug dealing and prostitution.

Kay Godefroy, the council's half-time director, estimates the area has more than 50 crack houses, operating primarily out of rental houses. She turns in phone reports weekly to the Seattle Police Department's South Precinct and gets follow-up reports on action taken to deal with problems, including such confidential information as when undercover drug buys are made and when search warrants are served.

People call the hot line because they want to remain anonymous or because they mistrust police, Godefroy said. Since the hot line began operating in late February, she said, it has received about 900 calls, "calls that weren't being made before."

"Eventually what evolved was our plan for the police to work more efficiently for us, which was fairly presumptuous," she said.

"We set priorities. The police do more drive-bys in those areas."

In exchange, she said, the council recognizes an "officer of the month" each month through the Rainier Valley Chamber of Commerce.

Godefroy said the program had paid off already in reduction of drug-related crime. Burglaries in South Seattle were down 23 percent in the first quarter of 1988 compared to the same period in 1987, while burglaries climbed 20 percent citywide. Similarly, car thefts dropped 18 percent in South Seattle while they increased by 29 percent for the city as a whole.

While citizens grapple with the fallout from the drug trade on the streets of their neighborhoods, police and prosecutors are devising new ways to arrest and convict sophisticated and highly mobile crack dealers.

Seattle police, in cooperation with federal drug agents and prosecutors, have acted aggressively to put pressure on Los Angeles gang members who import crack to the Puget Sound area. Police there say they have slowed the influx of drug dealers by using stiff federal drug-possession and weapons laws and a statute that makes it a felony to sell narcotics within 1,000 feet of a school, and by arresting suspected gang drug dealers at the city's entry points.

In Sacramento, police have switched to 9mm semi-automatic weapons so they can match the firepower of crack-peddling gangs. In addition, the city is using "red-light abatement" laws to force landlords to shut down crack houses or risk having their property padlocked by police.

On the East Coast, where scores of young crack dealers from New York have invaded Washington, D.C., over the past year to tap a lucrative market, police have launched an interdiction effort to catch the drug importers. About 140 New York youths under 18 have been brought to D.C. Superior Court on drug charges since last summer.

In New York, police have all but conceded the fight to wipe out crack houses. Intense sweeps of the worst drug streets and buildings, followed by months of harassment aimed at uprooting entrenched crack dealers, have succeeded mainly in driving dealers to less familiar streets.

PORTLAND EFFORTS

Portland police, prosecutors and community activists are coming at the crack crisis from various directions but with limited success so far.

Capt. Tom Potter, commander of the Police Bureau's North Precinct where most of the city's crack is bought and sold, said police could do only so much.

"It's not just a police problem. It's a community problem," Potter said. "The police do the job of society that society should be doing for itself. I think the reason drugs are here is because people allow them to be."

Potter believes responsibility is the key: parents' responsibility for their children, citizens' responsibility for their community. "I'm no raving conservative," he said, "but I see what happens when people don't take responsibility for their own lives."

Still, police agencies in the Portland metropolitan area have mobilized against the crack trade. North Precinct's street crimes unit raided more than 65 suspected drug houses this year before it was transferred to the gang unit July 15. The Organized Crime

Narcotics Task Force, which draws its members from city, county, state and federal police and drug enforcement agencies, has nabbed several major cocaine suppliers. And the U.S. attorney's office in Portland brought its first two prosecutions against suspected gang-affiliated drug dealers last month, using a federal law that prohibits distribution of illegal narcotics within 1,000 feet of a school.

Portland's highly touted drug-house ordinance has persuaded several landlords to evict drug-dealing tenants, board up their houses or change the locks.

Neighborhood efforts against the crack trade so far have been small-scale and ad hoc, focusing on violence, noise, traffic and blatant street dealing. Crime prevention specialist Sharon McCormack says the hardest-hit neighborhoods are also the poorest, have the fewest owner-occupied homes and are least likely to have strong formal neighborhood watch programs.

In the business community, merchants on a strip of Northeast Alberta Street where drug dealing is especially blatant are working to get better street lighting and have succeeded in getting some pay-telephone booths altered to allow only outgoing calls so they can't be used to arrange drug deals.

The King Neighborhood Facility has become a kind of staging area for activities aimed at gang-related drug dealing and violence. Housed there are a Gang Hotline that keeps busy with calls on suspected gang activity, and the 55-member Youth Gangs Task Force, a panel of school, juvenile-justice and police representatives seeking to dim the allure of money and status that gangs offer to black youths who see few other options. The King facility also is headquarters of the Northeast coalition of Neighborhoods, which has demanded crisis-level action by the city to reduce gang violence and drug-dealing.

The newly formed Coalition of Black Men, which meet Saturdays at the community center, staged a march and rally through inner-Northeast Portland July 16 and declared its intention to strengthen the black community by providing positive role models for black youths.

Still, those are long-term solutions to what is a very immediate problem on the streets of Portland neighborhoods. Street drug-dealing shows no sign of abating, and the frustration of law-abiding citizens about the situation is growing.

"This is a black neighborhood," said Robin Mayfield, a painting contractor who worries about the area's future. "Downtown they really don't care unless we get up in arms and demand more police enforcement."

Perkins said Portland's crack problem had forced city leaders to take a belated look at what was happening to their inner city, if only for political reasons in this mayoral election year.

They cannot ignore a problem forever, especially when you begin to have the shootings and other violent incidents that have taken place," Perkins said. "You have an aroused community. The city government is reacting to a community response that was always there but is more vocal now. It's a national problem; Portland can't hide it anymore."